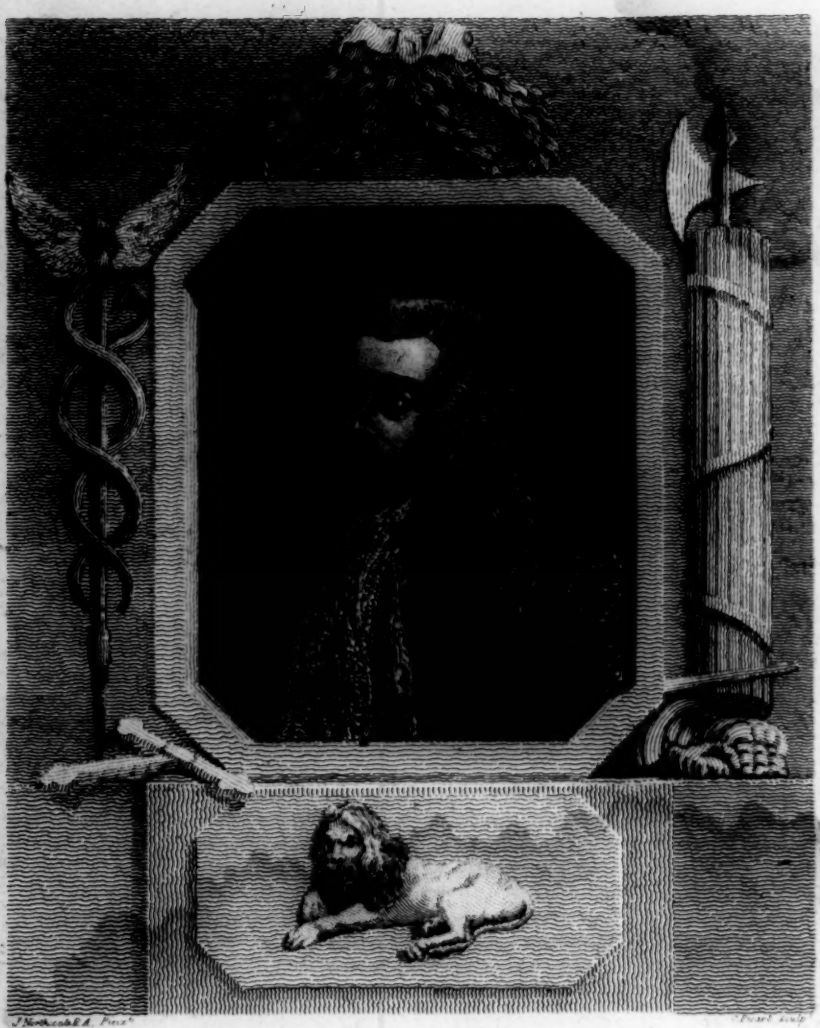
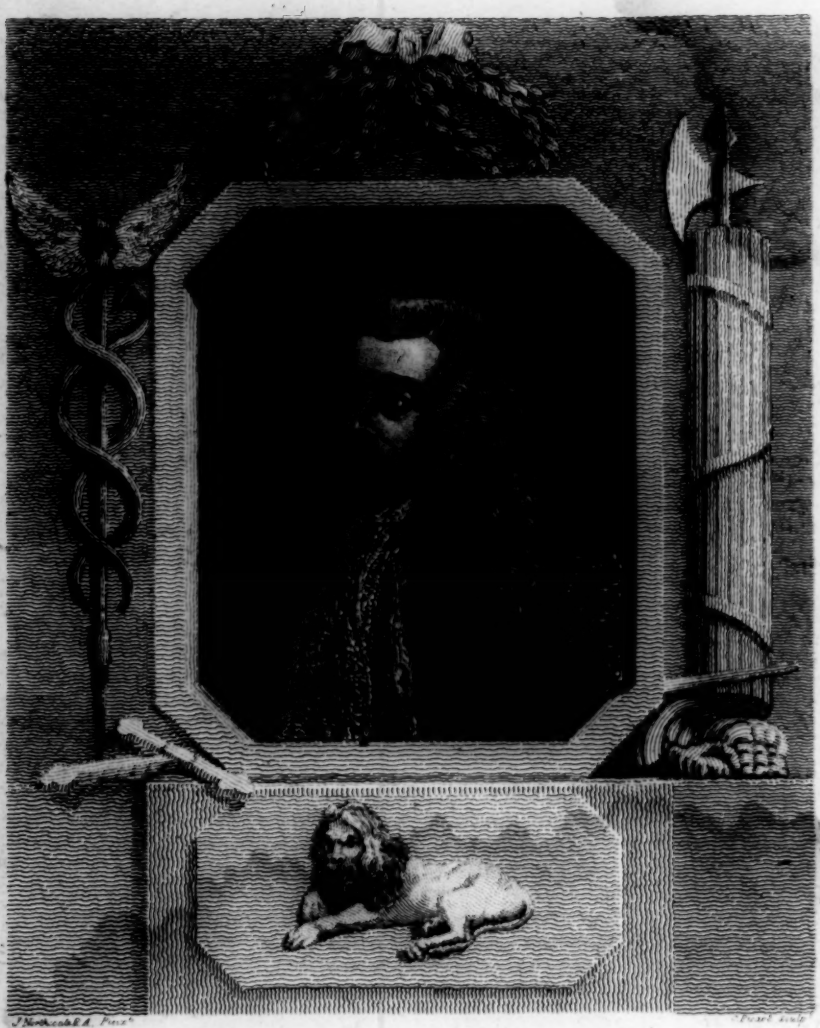


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THE HISTORY OF POLITICAL TRANSACTIONS, AND OF PARTIES, FROM THE RESTORATION OF KING CHARLES THE SECOND, TO THE DEATH OF KING WILLIAM.

BY THOMAS SOMERVILLE, D. D.

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INTRO-

INTRODUCTION.

AS the Revolution of one thouſand ſix hundred and eighty-eight forms an illuſtrious era in our hiſtory, ſo the ſtudy of it muſt be highly gratifying to the ſubjects of the Britiſh empire, and the friends of liberty in every country. To that event we are indebted, not only for the enlargement of our privileges, and additional ſecurities for their continuance, but for thoſe progreſſive improvements, which have exalted our nation to the higheſt pitch of proſperity and ſplendour.

In order to open the political hiſtory of England at the period of the Revolution with perſpicuity and connexion, and to give a true account of ſubſequent tranſactions during the reign of king William, it becomes neceſſary to review the two preceding reigns, and to unfold the various cauſes, which united the exertions of rival parties, and wrought

lence of our preſent conſtitution, nor be fully inſtructed in the extent of our privileges, and in the means of defending and improving them. But the ſame critical circumſtances, which render the hiſtory of any particular period more intereſting, often incumber it with ambiguity and difficulties, which can only be removed by the labour of later and accumulated reſearches. Amidſt the violent ſtruggles of factions, whoſe influence pervades the whole body of the people, it is in vain to expect a juſt appreciation of merit, or an impartial account of public meaſures. The animoſities and prejudices, which were predominant at the Revolution, deſcended to ſucceeding generations; and the opinions which individuals maintained, with reſpect to characters and facts, in the preceding age, were long interpreted as an infallible criterion of their political principles and attachments, in their own. After the lapſe of time has deſtroyed this falſe aſſociation of ideas, it is more ſafe and eaſy to adhere to a true repreſentation of facts.

There are recent circumſtances, which ſeem to furniſh peculiar motives, for reſuming the inveſtigation and detail of the ſubjects treated of in this hiſtory.

By the diligence and opportunities of ſome late hiſtorians, a variety of original papers have been collected and publiſhed; which, if they do not throw a light, altogether new, upon tranſactions relative to the Revolution; yet,

yet, in many inſtances, they give authority to opinions formerly controverted, and correct and enlarge the information of the impartial and induſtrious inquirer. Great caution, however, is neceſſary, in admitting concluſions, drawn by authors from thoſe facts, which they themſelves have had the ingenuity or good fortune to diſcover. Like travellers, they are exceedingly prone to amplify and embelliſh the curioſities of thoſe regions, which they have been the firſt to viſit and explore. While the merit of hiſtorical writers is eſtimated in proportion to the importance of the facts which they bring to light, they lie under a ſtrong temptation to over-rate them; and to ſtrain and extend the application of them beyond the rules of accurate reaſoning. The careleſſneſs of the generality of readers renders them eaſy proſelytes to thoſe miſrepreſentations, which the vanity of authors has introduced into hiſtory. A fond appetite for novelty ſupplies the deficiency of evidence, and eagerly graſps at diſcoveries, which miniſter to its gratification.

There is a ſtrong propenſity in human nature to move from one extreme to another. If our anceſtors, impreſſed with a deep ſenſe of gratitude to individuals, who had been the inſtruments of delivering the nation from ſlavery, aſcribed their conduct to the pureſt and moſt honourable motives, and gave them credit for virtues which they did

not poſſeſs; we, who have never been diſturbed in the enjoyment of our liberties, may, perhaps, be in danger of liſtening raſhly to inſinuations againſt meritorious characters; and of withholding that fair tribute of reſpect, which is due to their memories. The effects of this error are not confined to any one period of hiſtory. The impeachment of names, which had obtained a preſcriptive right to public veneration, has a tendency to engender ſuſpicions, and to nouriſh, eſpecially in the young mind, a habit of ſcepticiſm, which chills the ardour of patriotic reſolutions. It is, therefore, of importance to the cauſe of truth and virtue, to reſtrain the ſpirit of looſe and indiſcriminate cenſure; to examine, with a patient mind, the weight of arguments; and to confine concluſions, with ſtrict accuracy, to the premiſes from which they are drawn.

Under theſe impreſſions I have been, neceſſarily, led to combat the opinions of a late hiſtorian, Mr. Macpherſon, with reſpect to many important tranſactions and characters, which occur in the courſe of this work. Many aſſertions of that author, highly derogatory to the honour of king William, our illuſtrious deliverer, appear to me, after the moſt impartial reſearch, to be contradicted by evidence publiſhed in his own collection of State Papers. If I have ſucceeded in my humble attempts to vindicate calumniated merit, and to eſtabliſh the cauſe of

of truth, I ſhould flatter myſelf, that this work may not be conſidered as unſeaſonable or ſuperfluous; and no apology will be neceſſary for preſuming to recall the attention of the public to ſubjects, which have been already diſcuſſed by authors of the firſt ability and the higheſt reputation. But ſtill I am, in juſtice, bound to acknowledge, that ſubſtantial advantages are derived from the information, communicated by the author whom I have mentioned. After the moſt ſcrupulous enquiry into the ſources from which that information has been collected; after every abatement that candour and ſtrictneſs of reaſoning preſcribe, we are left in the poſſeſſion of many curious important facts. Enlightened by theſe, we are enabled to diſpel the miſts, which darkened our political horizon a century ago; and to preſent to the public a more copious and faithful narrative of many tranſactions, than contemporary authors could do, who were ignorant of the dark counſels and profligate intrigues which gave birth to them.

It is particularly incumbent upon every perſon, who wiſhes to form juſt conceptions of Engliſh politics, to ſtudy with attention the proceedings of parliament. Parliament is the theatre on which the ſtrength of conflicting parties is brought forward into action; and on which the ſpirit and principles, which animate them, are ſubmitted to the approbation or cenſure of the impar-

tial and diſcerning citizen. Parliamentary proceedings have, therefore, engaged a principal part of my attention and labour in the following work.

But it is not merely from the journals of the two houſes, or the concluſions adopted by the majority in either of them, with reſpect to queſtions of greater moment, that we are able to diſtinguiſh the temper, the motives, or the abilities, of contending parties. The debates which lead to theſe concluſions, the intrigues of parties, the incidents favourable or adverſe to their intereſt, ought to be minutely ſurveyed. In treating of intereſting queſtions, I have exhibited a ſpecimen of the arguments, which were introduced in the diſcuſſion of them. In order to draw a more lively picture of the times, I have endeavoured to enter into the ſpirit of the perſons who were warm in the ſcene of action, to ſee with their eyes, and to eſtimate events and meaſures by their ſtandard. I have attempted to repreſent their motives; to aſcertain the effects of different meaſures, and of the conduct of miniſtry and oppoſition, as ſalutary or pernicious to the conſtitution.

This work, if executed with perſpicuity and faithfulneſs, may, it is hoped, contribute not only to inſtruction, but to moral improvement. It will afford repeated opportunities of inculcating principles of genuine patriotiſm upon thoſe, who wiſh to underſtand

ſtand and to purſue the true intereſts of their country. It will ſuggeſt ſtrong arguments for reſtraining the credulity, and moderating the violence, of others, who devote themſelves, with implicit confidence, to the intereſt of any party whatever, by holding out to them the inconſiſtency of opinions, aſcribed to the ſame perſons, in different ſtages of their hiſtory, correſponding to the viciſſitudes of their political ſituation. They, who cenſure with ſeverity, the conduct, either of miniſtry or oppoſition in our own time, may learn greater candour and indulgence, by taking the ſtandard of their judgment, with reſpect to public characters and meaſures, from a period which they are able to contemplate, without any bias ariſing from prejudice or intereſt. They, who are deeply affected with the apprehenſion of the fatal conſequences of meaſures of which they diſapprove, may derive comfort, from marking, in the ſequel of hiſtory, the confutation of preſages and fears, announced under ſimilar impreſſions of gloom and deſpondency.

Upon the whole, though ſome ſhades may obſcure the luſtre of that period of our hiſtory, which has elapſed ſince the Revolution, yet the liberal mind will recogniſe, with pleaſure, a more advanced progreſs of liberty, and of every ſpecies of national improvement. From many auſpicious ſymptoms, we are encouraged to anticipate, what, perhaps,

perhaps, is at no great diſtance, a nearer approach to moral and political perfection, than has been exhibited in the record of ages that are paſt.

No ſubject can more conduce to the developement of the heart, or to the enlargement of our knowledge of human nature, than that which leads us to trace the ſprings of political intrigues; and to delineate the various paſſions, which agitate the votaries of party.

Should this work contribute, in any degree, to eradicate prejudices fatal to order and liberty, to infuſe into the mind a deteſtation of factious and narrow policy, and to cheriſh a love of probity and patriotiſm, the higheſt ambition and fondeſt wiſh of the author will be gratified; and his labour will be recollected, with a ſatisfaction more ſolid and durable than that which is excited merely by the praiſe of diligence and ingenuity.

THE

THE

HISTORY

OF

POLITICAL TRANSACTIONS,

&c. &c. &c.

CHAP. I.

Reſtoration of Charles the Second.—Temper and Meaſures of the Convention Parliament.—The ſecond Parliament loyal, but averſe to Toleration.—Corporation and Uniformity Acts.—Declaration of Indulgence.—Intrigues againſt Miniſtry.—War with Holland.—Commencement of Oppoſition in Parliament.—Fall of Clarendon.—Early Schemes againſt the Duke of York.—Peace with Holland.—Reaſons for an Alliance with Holland.—Charles diſſatisfied with his Parliament.—Secret Treaty between Charles and Lewis.—Character of the King's Miniſters.---Meaſures taken in concert with Lewis.---Arbitrary Meaſures of Adminiſtration.—Second War with Holland—unſucceſsful.—The King ſolicits the Aid of Parliament.—Prudent and firm Conduct of the Commons.---Breaks and divides the Cabal.—Indulgence recalled.—Addreſs againſt Roman Catholics.---Teſt Act.---Reflections.---Addreſs concerning Grievances.---Oppoſition of Shafſbury to the Courts.--His Character.---Converſion of the Duke of York to the Roman Catholic Religion.---Proceedings of Parliament.---Lord Danby becomes the Object of the Reſentment of the Commons.-- His Conduct as a Miniſter.---New Teſt Bill.

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1660. 8th May. Reſtoration of Charles the Second.

THE reſtoration of Charles the Second filled the nation with joy, and was followed by a long period of peace and political harmony. The prince, the miniſtry, and the parliament, were united in the ſame views of policy; and the buſineſs of the nation was conducted without oppoſition from any party.

The

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1660. Temper and meaſures of the convention parliament.

The convention parliament mingled patriotiſm with loyalty. While they provided for the ſupport of the king, and teſtified their indignation againſt the perſons who were ſtained with the blood of his father, they adopted the moſt effectual meaſures to complete the ſettlement of the nation, and to prevent future oppreſſion. They paſſed an act of indemnity, diſbanded the army, and aboliſhed the courts of wards and liveries; a branch of the royal revenue moſt grievous to the ſubject. Judicial proceedings, which had taken place during the uſurpation, were ratified; all perſons, who had been violently deprived of titles, offices, and eſtates, were reſtored to them[1].

A great proportion of the members of the convention parliament were preſbyterians[2]; and as their political principles led them to wiſh for limitations of the prerogative, ſome of them had moved to ſpecify theſe, as conditions of the king's reſtoration[3]. Though the impatience of the nation, and the authority of general Monk, had over-ruled their deſign, yet the recent obligations they had conferred upon the king, and the queſtions which lay open to diſcuſſions in carrying on the ſettlement of the nation, ſeemed to preſent an opportunity, peculiarly favourable to the recommendation and ſucceſs of their political ſyſtem.

If the apprehenſion of theſe conſequences privately leſſened the king's confidence in this parliament, the narrow and unconſtitutional principle, upon which it had been convened, afforded a ſpecious pretext for haſtening its diſſolution. The writs for a general election had been iſſued by the few remaining members of the long parliament;

[1] Journ. Lords and Commons, paſſim.
[2] Life of Clarendon. vol. i. p. 222.
[3] Ludlow's Memoirs, vol. iii.

and

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and all, who had aſſiſted in the war againſt that parliament, were declared incapable of being elected repreſentatives of the people[4]. The convention parliament was diſſolved on the 29th of December.

The ſecond parliament loyal, 8th May 1661

Zeal for loyalty was preferred to every other qualification, in the choice of members to ſerve in the ſecond parliament of Charles. Far from any inclination to aſſert and eſtabliſh the ancient privileges of the people and to preſcribe boundaries to prerogative, the commons, in the fervour of loyalty, had no object ſo much at heart as to exalt the power, and gratify the deſires, of the ſovereign[5]. To the ſound policy of adminiſtration, and, particularly, to the moderate counſels of the earl of Clarendon, more than to the wiſdom and temper of parliament, the nation was indebted, not only for reſtraining the ebullitions of loyal zeal, but for the adoption of ſalutary laws, which had been enacted during the eſtabliſhment of the republic[6]. If the miniſtry approved of or adviſed, in a few inſtances, exertions of prerogative illegal and of dangerous example, they are to be conſidered as exceptions to the eſtabliſhed rules of their political ſyſtem; they were prompted by neceſſity, and the ſudden apprehenſion of danger, ariſing from conſpiracies againſt the king, formidable by the inveterate and enthuſiaſtic diſaffection, rather than by the number and rank, of the perſons who formed them[7]. The king reſumed the power of regulating the militia without waiting for the conſent of parliament. A proclamation againſt printing and ſelling ſeditious libels was expreſſed in terms inauſpicious to the liberty of the

18th July.

[4] Echard, vol. iii.
[5] Coke's Detection. Reresby.
[6] Burnet.
[7] Ralph. vol. i.

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preſs. Two regiments, one of horſe, and another of foot, were raiſed to be a guard to the perſon of the prince, which, conſidered as the beginning of a ſtanding army, was an object of jealouſy to a free people. Theſe meaſures were ſuffered to paſs without any apology offered by the prince, or any animadverſion or check interpoſed by the parliament.

but averſe to toleration.

Religious toleration was the ſingle point upon which miniſtry and parliament, in the early period of this reign, maintained ſentiments different from thoſe of the prince; and adhering to which they were bold enough to thwart his private wiſhes, and preſcribe limitations to his authority. The king, by his declaration from Breda, had promiſed indulgence to the preſbyterians; their ſervices in the reſtoration merited this favour, and his honour was intereſted in making it effectual. There remains, however, no room to doubt, that a partiality to the Roman catholics, and the ſcheme of extending indulgence to them, more than either lenity of diſpoſition, or regard to his honour, were the motives of the king's public favour to the proteſtant diſſenters; and that the ſuſpicion of theſe motives aggravated the offence, and inflamed the reſentment which his declaration excited among the loyaliſts of the church of England[s].

14th April 1660.

Corporation and uniformity acts.

The earl of Clarendon, who had the principal direction of affairs at this time, was attached to the worſhip and forms of the church of England, with all that enthuſiaſtic zeal with which the eſtab-

[s] This account of the king's declaration is admitted by North, an author by no means prone to cenſure or miſinterpret the conduct of Charles. North's Examen, p. 43[illegible].—It is alſo confirmed by the declaration of lord Stafford in the houſe of peers, and by the ſeverity of the king to the proteſtant diſſenters, after the period when their intereſt was diſtinguiſhed from, and ſet in oppoſition to, that of the Roman catholics.

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CHAP. I. 1662.

liſhed triumph of party naturally inſpires its votaries, after a period of depreſſion and ſtruggle; and which, notwithſtanding his prudence and generoſity, betrayed him into meaſures ſevere and illiberal, when the intereſt of epiſcopacy was concerned. Monarchy and the church of England, during the convulſions of the nation, had been blended in the ſame political fate; they had the ſame enemies, the ſame friends, and had fallen together by the ſame ſhock. Hence the moſt zealous loyaliſts had been led to conſider the intereſts of the church and of the monarchy as indiſſolubly united, and the corporation and uniformity acts were contrived to exclude proteſtant diſſenters from civil and eccleſiaſtical power.

20th Dec. 1661.

19th May. 1662. Declaration of indulgence.

The king did not uſe any influence to prevent the act of uniformity, or to procure ſuch modifications of it, as might leave room for a legal and inoffenſive diſcharge of the promiſe made in his declaration of Breda. Indolent and inconſiderate, he probably did not apprehend the extent of the violence and cruelty with which it was fraught, or believe that the preſbyterian clergy would reſiſt it with ſuch unanimity and firmneſs. He was, perhaps, deceived by his experience, and truſted that the obſequious temper of his parliament would diſpoſe them to connive at any interpoſition of prerogative, intended to mitigate the ſeverities reſulting from a rigid execution of the law. Two thouſand preſbyterian miniſters were ejected from their livings, and many of them reduced to indigence[9]. Charles was upbraided with the breach of his promiſe, and the oppreſſion of his government. The plea of humanity afforded him a ſpecious pretext for trying the ſtrength of prerogative, and eſtabliſhing a precedent for indulgence to

24th Auguſt.

[9] Life of Baxter.

the

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the Roman catholics. He publiſhed a declaration, diſpenſing with the penalties impoſed by the act of uniformity; and ſome of the diſſenting miniſters, who had been committed by the lord mayor of London for violating that act, were ſet at liberty[10]. A meaſure, which at once ſhocked their religious prejudices and ſo deeply wounded the principles of the conſtitution, was oppoſed by the commons, with the manifold advantages which reſult from fervour of zeal and ſolidity of argument. The king revoked his indulgence. The commons were ſoothed, and again became generous and indulgent, in every other inſtance, to the inclinations of the ſovereign.

1662. 26th Dec.

Feb. 1663.

Intrigues againſt miniſtry.

It were erroneous, however, to conclude, that, during this ſerene ſtate of politics, the ambition of individuals was aſleep; or that no conſpiracies were formed againſt miniſters by thoſe who envied their power and emoluments. The principal offices of adminiſtration, after the king's return, were divided between the perſons who had given proof of their fidelity to his father, and thoſe who had been moſt forward and uſeful in promoting his own reſtoration. To the former were chiefly aſſigned the reſponſible and laborious departments of government; their attention to buſineſs, and gravity of deportment, ſecluded them from that familiar intercourſe with their maſter, which was enjoyed by companions nearly of his own age, and qualified by congenial humour to gratify his taſte for mirth and pleaſure[11]. Flattered by the participation of his amuſements and eaſy acceſs to his perſon, the duke of Buckingham, the earl of Briſtol, and ſir Henry Bennet, had early cheriſhed the idea of gaining the aſcendency in his councils, and of directing the diſpoſal of preferments and

[10] Life of Clarendon. Life of lord Keeper Guilford.

places.

places. But as any direct attempt to embarrass the affairs of government, would have been offensive to the king, by disturbing his repose, and ill received by a parliament overcharged with loyalty, their attacks upon the ministers were not founded upon mal-administration, or brought forward in the open path of parliamentary opposition, but levelled against their private characters, and conducted through the dark channel of intrigue and calumny[12]. Suspicions of the fidelity of his ministers were artfully infused into the royal breast, and the chancellor, particularly, was represented as maintaining principles, hostile to prerogative and the independence of the crown. They employed the influence of the king's mistresses, who were exasperated by the contempt with which they were treated by the chancellor, and readily co-operated to undermine him. They plied every engine of ridicule and humour, particularly fitted to work upon a temper addicted to frolic and levity[13]. So long, however, as the king found himself at ease, and obtained the supplies he demanded, he remained immoveable, by the motives of ambition, the importunity of mistresses, and the detraction insinuated against his ministers by loose and unprincipled companions. CHAP. I. 1663.

The actual experience of inconveniences often predicted, produced, at last, a revolution in the War with Holland.

[12] An open attack was made upon the administration of Clarendon, by the earl of Bristol, in the house of lords, in the third session of the second parliament, 10th July, 1663. But the charge exhibited against him, consisting of articles of high treason and various misdemeanours, appeared so invidious and irregular in the opinion of the twelve judges to whom it was referred, that it was dismissed unanimously; and drew upon its author severe expressions of the king's displeasure. Kennet, vol. iii.

[13] Life of Clarendon, vol. i. p. 281. Carte's Life of Ormond, vol. i.

ministerial

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miniſterial departments, diſſolved the harmony which ſubſiſted between the king and his parliament; and entirely changed the form and ſtate of politics in the ſucceeding year of this reign. The king was urged, by the general inclinations of his people, and the importunity of private friends, to enter into a war with the Dutch[14]. The ſum of two millions five hundred thouſand pounds was voted by the commons for defraying the expences of the war. Liberal and unexampled as this ſupply was, the king found it inadequate; and made a demand for further ſupplies, in the full expectation of being anſwered with the ſame cheerfulneſs and generoſity.

25th Nov. 1664.

Commencement of oppoſition in parliament.

But now a variety of cauſes contributed to render the commons more ſlow and cautious in diſ-

[14] War was declared againſt Holland, 4th March, 1665. The nation in general approved of this war, from a jealouſy of the Dutch encroaching upon our trade, and the reſentment of injuries ſuppoſed to have been committed by them againſt the Engliſh Eaſt India Company. Temple's Letters to ſir John Temple, Oct. 10, 1667.—Both houſes of parliament addreſſed the king againſt the Dutch. The commons highly approved of the war, and thanked the king for having entered into it. Journ. Com. 10th Oct. 1665.—The king was ſecretly averſe to the war. Life of James, 1664.—The ſelfiſh views of individuals had a conſiderable influence in promoting the firſt war with Holland. The duke of York, fond of military employment, viewed the injuries committed by the Dutch in exaggerated colours, and incenſed his brother againſt them. Life of Clarendon, vol. ii. p. 14.—The duke of Albemarle was piqued with the Dutch on account of perſonal affronts which he had received while he ſerved in their army, and flattered the court with an unbounded proſpect of ſucceſs, by diſparaging their military and naval force. Life of James.—The French invidiouſly fomented the quarrel, expecting that it would furniſh them with a pretence for encroaching upon Flanders, by interfering in the war, either upon the ſide of Holland or England, as contingent events ſhould direct. Secret Hiſtory of Europe, vol. i.—The ſucceſs of the Engliſh at ſea in the beginning of the war, and their treaty with the Biſhop of Munſter, determined the French to declare in favour of Holland. Ibid.

poſing

poſing of the public money, though ſolicited for the ſupport of a war which they had warmly recommended. Their conſtituents, preſſed by the burden of the former ſupplies, began to obſerve, with a cenſorious eye, the profuſion of the court, and to complain of the miſmanagement and perverſion of ſums voted for the public ſervice. The commons, jealous for the protection of the eſtabliſhed religion, were fretted by the repeated attempts of the court to introduce and ſupport the toleration of diſſenters. Though the king had departed from his declaration, his favourable inclinations were privately communicated to the diſſenters, and he diſplayed extreme backwardneſs in executing thoſe laws againſt them which were dictated by the ardent zeal of the commons[15]. The ſolicitations of the crown for ſupplies reminded them of its dependence, and inſpired them with a conſciouſneſs of authority and importance, with which they were before unacquainted. The power of conferring obligations upon the prince, the ſource of honour and promotion, opened a fair proſpect of gratifying the ambition and avarice of individuals. The very men who had hitherto laboured to rouſe the reſentment of the ſovereign againſt his miniſters, for heſitating to remove the ancient limitations of prerogative, and to eſtabliſh the independence of the crown, began now to cenſure public meaſures, and to awaken a jealouſy of the court, in order to raiſe an oppoſition in parliament, over which they might preſide, and advance their own political importance. Extravagance and abuſe in the expenditure of the revenue, ſuggeſted an inquiry into the diſburſements of the ſupplies, and, at length, accompliſhed a reſolution of the commons to appoint commiſſioners to reviſe the public

1665.

1666.

[15] Ralph, vol. i.

accounts.

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1666-7.

accounts[16]. The king, mortified by a measure which he considered as disrespectful to his dignity, and fatal to his independence, resorted to remedies calculated to procure immediate tranquillity, without foreseeing the multiplied and lasting embarrassments to which they gave birth. By conferring pensions upon some, and promising preferments to others, he purchased an interval of repose; while, by exciting avarice, and cherishing expectations beyond the compass of his ability to gratify, he planted those seeds of importunity and disappointment which embittered the peace of his future years[17].

Fall of Clarendon.

At this period, the king reflected, with regret, upon the opportunities of attaining to independence and absolute power, which had been neglected by the persons hitherto entrusted with the management of his affairs. The candidates for preferment artfully fell in with the stream of incidents, and adapted themselves to the present temper of their master, to gratify their resentment, and to promote their schemes of personal aggrandisement. They easily persuaded the king to consent to the disgrace of the earl of Clarendon, as the means of gaining popularity, and re-establishing the vigour of the monarchy. The pre-eminence and long continuance of Clarendon's influence had excited the envy of many persons of the first rank, who were warmly attached to the royal family. The sternness of his virtue over-awed and rebuked the fashionable licentiousness of the court. The superciliousness and formality of his external deportment rendered him ungracious to those with whom he conversed, in transactions of business, and the ordinary intercourse of life. A partiality

31st Aug. 1667.

[16] Journ. Commons, Sept. Oct. and Dec. Life of Clarendon, Marvel.

to

to the character of the king, inclined all parties to impute to the perſon who bore the principal ſway in adminiſtration, every private injury, and every public calamity. The rigid laws againſt diſſenters, and remiſſneſs in the execution of them; the neglect of indigent loyaliſts; the ſale of Dunkirk; the marriage of the king; the ill ſucceſs of the war; charges in ſome inſtances diſcordant and incompatible, were heaped together, in order to unite men of oppoſite principles and parties, in that odium and rancour which purſued the falling miniſter. It was at the ſame time repreſented to the king, that his affairs were not irretrievable; that, by removing the miniſters who had hitherto limited his authority, and obſtructed his ſchemes, he might yet build up prerogative, attain to a ſtate of eaſe, and make himſelf independent on the favour of parliament'[18]. The ſnare anſwered the moſt ſanguine expectations of thoſe who laid it, and the king ſurrendered Clarendon to the unmerited and malicious proſecution of his enemies'[19].

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With this event commences a new epoch in the political hiſtory of this reign. It is crowded with the buſtle, the intrigues, and the exertion, of parties; it exhibits the commencement, the progreſs, and the moſt diverſified forms of faction.

Early ſchemes againſt the duke of York.

After the fall of Clarendon, the duke of Buckingham and the earl of Arlington became rivals for the favour of the king, which was ſtill conſidered as the only path to power and office. Attentive, however, to their common intereſt, in completing and eſtabliſhing the late revolution in adminiſtration, they ſuppreſſed their mutual ani-

[18] Cunningham's Hiſtory of Britain, vol. i. p. 19. Life of Ormond.

[19] Jour. Lords and Commons, Oct. and Nov.

moſities,

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mosities, and united their efforts, to extirpate any influence that remained with the friends of lord Clarendon[20]. The duke of York, though unable to stop the torrent of opposition which had overwhelmed his father-in-law, still avowed his attachment to his relation, and declined to enter into any terms of agreement with a ministry exalted upon his disgrace. To avert the distant prospect of feeling his resentment, the new administration, at an early period, formed the design of defeating his succession to the crown. Different plans of accomplishing this important object were suggested by those who were equally interested in its success. Some of them hoped, that the king might be prevailed upon to consent to a divorce, on account of the barrenness of the queen; a measure, which, if it obtained the sanction of parliament, could not fail to be highly acceptable to the nation, originally dissatisfied with the match, and alarmed at the consequences of an alliance between their sovereign and a Roman catholic family. Another plan of subverting the duke's title to the succession, not only less tedious in execution, but less exceptionable, on account of its being free from any charge of harshness and disrespect towards the queen, was suggested by the partial affection of Charles to his son, the duke of Monmouth. The friends of the latter were by this encouraged to hope, that they might obtain from the king a formal acknowledgment and confirmation of his having been married to the duke of Monmouth's mother before they cohabited together; a report which many of the nation were inclined to believe, because it had been circulated in conversation; and to support with their influence, because Mon-

[20] Life of James, 1667-8. Burnet, 1668.

mouth

mouth ſtood high in their affections[21]. Theſe circumſtances are deſerving of notice, upon account of their influence, at a ſubſequent period, in producing the bill of excluſion, which was then ſupported by the ſame perſons, with arguments more ſpecious and intereſting to the public, than thoſe which firſt ſuggeſted the expediency of ſuch a meaſure. 1667.

Peace with Holland, deſired with equal anxiety by the king and the nation, was the firſt meaſure which employed the official labours of the new adminiſtration. The king, who had never entered cordially into the war, became ſtill more averſe to it, becauſe France had ſided with Holland. He was weary with ſoliciting ſupplies, no leſs than the people were with granting them[22]. The revenue and public treaſure had ſunk during the continuance of the war, and great arrears were due to the army and navy. While the proſpect of ſucceſs abroad was diminiſhed by a reconciliation between the States and the biſhop of Munſter, the nation at home was ſubjected to the moſt mortifying inſult by the boldneſs of the Dutch fleet, which entered the river, and deſtroyed ſeveral ſhips of war at Chatham. The exultation of the ſtates, upon this advantage, was damped, and the views of puſhing hoſtilities any farther againſt England repreſſed by the ambition of the French king, who now began to trample upon every form of juſtice, and to fill the ſurrounding powers on the continent with the moſt alarming apprehenſions. The dejection and diſcontents of England, occaſioned by the late ſuperiority of the Dutch, and the terrors of the Dutch, excited by the ambition of France, diſpoſed both the contending powers to turn their

Peace with Holland.

19th June, 1667.

[21] Life of James, 1668. Macpherſon's State Papers.
[22] Coke.

thoughts

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thoughts towards a plan of peace, under the mediation of Sweden. A negociation between England and Holland was opened at Aix la Chapelle, which ſoon terminated in a league defenſive againſt France.[23].

1667. Aug. 1667. 23d Jan. 1668.

The ſudden tranſition of England, not only from war to peace, but to the moſt friendly alliance with Holland, and to obligations of reciprocal protection confirmed by the triple alliance, forms one of the moſt ſingular political phenomena that occurs in the reign of Charles the Second. The bias of the king's affection leaned ſtrongly to an alliance with France. He had already made propoſals to that court, and had ſecretly engaged himſelf not to enter into any treaty injurious to her intereſt. The miniſters, whom he now employed, concurred in the ſame prejudices and affections; and, if they had been at liberty to purſue them, they would not have heſitated, in caſe of a competition, about preferring the intereſts of France to thoſe of Holland[24].

Reaſons for an alliance with Holland.

Many motives, however, conſpired to recommend to the king, and his miniſters, a line of foreign policy, different from that which they ſecretly favoured, and to conſtrain an external, though, as it ſoon appeared, a deceitful deference to popular opinions. The parliament, during the continuance of the war, had grown more independent, and had aſſumed a more active and deciſive part in the management of public buſineſs. The people at large began to enter into critical diſcuſſion of public meaſures; and the motives of commercial intereſt, or national reſentment, which at firſt engaged their approbation of war with the States, yielded to indignation at the exorbitant ambition

[23] Temple's Letters, vol. viii.

[24] Letter of Ruvigny. Secret Hiſtory of Europe. vol. i.

of

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of France, which united England and Holland by a ſenſe of their common danger. It was in vain for the miniſtry, if they ſet out in a courſe of meaſures repugnant to the ſentiments of the nation and the houſe of commons, to expect that they would be able to extricate the revenue from the incumbrances with which the war had loaded it, or to maintain the power which they had acquired. The ſyſtem of foreign policy, recommended to the king and his miniſters by motives of popularity and domeſtic convenience, was, at the ſame time, moſt flattering to their own honour, and the reputation of the nation abroad. The king had lately acted as mediator in a peace between Spain and Portugal. By entering into a league with Holland, in order to prevent the future encroachments of France upon the provinces in Flanders, which was equally dreaded by the States, the Emperor, and Spain, he would be regarded as arbiter of the fate, and guardian of the liberties, of Europe[25]. Though the king himſelf was but little ſtimulated by motives of honour and patriotiſm, he could not be ignorant of the inconveniences he might ſuffer, by thwarting meaſures ſo conſiſtent with ſound and liberal policy, and ſo earneſtly urged by the wiſhes of his people. The triple alliance, candidly aſcribed to the obvious and powerful motives we have already mentioned, effaced the ſuſpicion of his attachment to France, and reſtored him to the affection and confidence of his ſubjects[26].

So

[25] Temple's Letters.

[26] It is aſſerted by ſome, that the triple league was inſidiouſly encouraged by France, as it conceded to her the conqueſts ſhe had already made in Flanders, or ſtipulated an equivalent, if Spain ſhould reſume them. If Spain declined compliance with either of theſe alternatives, it would afford France a fair pretext for renewing the war, and for making farther encroachments. Coke. Bolingbroke's Letters.

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So far as we have advanced in our hiſtory, judging from the facts and meaſures which have lain open to our inſpection, no flagrant error in policy, nor iniquity in government, can be imputed to the character of the prince. His propenſity to ſoften the rigour of the act of uniformity, though it precipitated him into the violation of the law, was ſo conſonant to lenity, and a reſpect to his early promiſes to the preſbyterians, that we might have heſitated whether to praiſe or to cenſure, if the future meaſures of his reign did not extinguiſh all credit for his having been actuated by ſuch reſpectable motives. The perſecution of Clarendon, unjuſt and ſevere, was carried on with ſuch unanimous and vehement rancour by every party, that no common degree of fortitude in the prince muſt have been neceſſary to reſiſt its effects, and protect his miniſter, though he had been entirely ſatisfied with his conduct. The triple alliance was founded upon generous and ſound maxims of policy, redounded immediately to the dignity of the crown and nation, and inſpired pleaſing expectations, that wiſe meaſures would be purſued through the remainder of this reign. How far theſe

By the letters of Charles the Second to Lewis and the Dutcheſs of Orleans, it appears, that the former had entered into the triple league without the conſent of Lewis, but, at the ſame time, was perſuaded, that it could not be injurious to the French intereſt. That Lewis, however, was offended with the league, appears from the language of Ruvigny, his ambaſſador at London, to Charles, to whom, renewing his profeſſions of eſteem and affection for Lewis, he, Ruvigny, replied, That his, Charles's conduct had been but little anſwerable to theſe profeſſions, and that he knew it had given cauſe of offence and miſtruſt to his maſter. Dalrymple's Appendix, p. 10.

It is probable, that, from a ſuſpicion of the triple league being diſagreeable to France, or upon the actual notice of its being ſo, Lord Clifford ſaid to a Friend of Sir William Temple's, "For all "this, we muſt have a war with the Dutch before it be long." Temple's Memoirs, vol. i. p. 261.

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theſe expectations were well founded, and how far either private virtue or patriotiſm mingled among the motives by which the king was influenced, and dictated the ſchemes he purſued, will appear from the events which fill the following pages.

Charles diſſatisfied with his parliament.

The caution of the commons in granting ſupplies, and the firmneſs with which they had repelled every attempt to diſpenſe with the laws, though conducted with reſpect and qualified with expreſſions of affection to the prince, infuſed into his mind ſeeds of diſguſt, which gradually ripened into an unconquerable averſion to his parliament. The incumbrances occaſioned by the king's domeſtic profuſion, as well as the neceſſary diſburſements during the war, diſpoſed him eagerly to liſten to any plan for the augmentation of his revenue, independently of the favour of parliament, ever precarious and annexed to ſtipulations derogatory to his dignity and power.

As an early attachment inclined the king to prefer an alliance with France to that of any other nation[27], ſo, her religion, her political intereſts, her military powers, ſeemed to render her both able and diſpoſed to aſſiſt his deſigns of acquiring an independent ſubſiſtence and an abſolute ſway. The extenſion of dominion by the annexation of the provinces of Flanders belonging to Spain and Holland, preſented the moſt alluring bait to the ambition of France, and could only be obſtructed by the interference of England, which, ſo far as the ſentiments and true intereſts of that nation were regarded, ſhe had every reaſon to expect[28].

Secret treaty between Charles and Lewis.

An alliance ſo favourable to the ſchemes of Charles and Lewis had probably been projected by both of them, previous to any direct communi-

[27] D. Eſtrades' letters.
[28] Letters of Colbert.

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cation of their ſentiments to each other. The former firſt intimated his friendly inclinations to the latter by the intervention of the queen-mother, and his ſiſter the ducheſs of Orleans, well qualified, by ſituation and zeal, to be agents in this buſineſs[29]. No attention and no pains were omitted by Lewis to encourage the advances and correſpondence of Charles, and to improve them into a durable bond of union, ſubſervient to his ſchemes of invading the territories of his neighbours. Colbert was diſpatched into England to converſe with Charles concerning the plan of an alliance with France. The dutcheſs of Orleans made a viſit to her brother, to enforce and to haſten the negociations of the French ambaſſador[30]. All the articles of alliance were at laſt agreed to and ratified by a ſecret treaty between Charles and Lewis[31]. Though it was neceſſary to conduct a treaty odious to the people of England with the utmoſt addreſs and ſecrecy, yet it could not be carried into execution without the knowledge and concurrence of the perſons entruſted with the official departments of government. The ſecret was firſt imparted to a few who were friends to the Roman catholic religion. The king, at a private meeting held in the duke of York's cloſet, at which the duke of York himſelf, lord Arundel, lord Arlington, and ſir Thomas Clifford, all Ro-

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Aug. 1668.

May, 1670.

[29] Letter of Charles to the queen-mother. Ralph, vol. i. p 152

[30] Teſtament politique de Colbert, p. 257.

[31] The principal articles of this treaty were, that Lewis and Charles were to join in a war againſt Holland; that king Charles was to receive two hundred thouſand pounds for declaring himſelf a Roman catholic; and that France was to aſſiſt him with troops, ſhould his ſubjects rebel, Dalrymple's Appendix, p. 30. This treaty was ſigned by the earl of Arundel, ſir Thomas Clifford, and ſir John Beeling, 1ſt June, and ratified by Lewis, 10th june 1670.

man

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man catholics, were preſent, declared his zeal for the Roman catholic religion, and adviſed with them concerning the proper means of advancing it in his dominions[32]. The reſult of this converſation was what the king wiſhed, and had already conſented to in his private treaty with Lewis; namely, that this bold deſign could only be carried into execution in conjunction with France. For this purpoſe lord Arundel was ſent over to execute a formal treaty, upon the terms already ſpecified in the private correſpondence between Charles and Lewis. This treaty, though conducted with the utmoſt ſecrecy, did not eſcape the ſuſpicions of the nation at the period when it was tranſacted[33], nor could it be fulfilled without an open and avowed alliance between England and France. The duke of Buckingham, who was a ſtranger to the firſt treaty, was ſent to the court of France to carry compliments of condolence upon the death of the dutcheſs of Orleans; and, at the ſame time, to negociate a treaty, nearly the ſame with that which had been privately concluded between Charles and Lewis[34].

Characters of the miniſters.

It now remained that the king ſhould make choice of ſuch counſellors as were moſt capable of aſſiſting him in the crooked and odious ſyſtem of policy, which he had, to his diſgrace, bound himſelf to adopt. Diſſimulation, ſecrecy, intrepidity, diſaffection, or indifference to the religion and

[32] Life of James, 1669. Macpherſon's State Papers.

[33] State Tracts, time of Charles.

[34] Echard, vol. iii. p. 255. The article of religion was ſuppreſſed, as too odious to be endured by the nation. At the ſame time, that the king might not loſe any part of the premium which induced him to connect himſelf with France, the ſum of two hundred thouſand pounds, ſtipulated upon the condition of declaring himſelf a Roman catholic, was added to the ſum he was to receive on account of his declaring war againſt Holland. Dalrymple's Appendix, p. 70. Rereſby.

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constitution of their country, were the qualities principally requisite in men engaged to pursue a series of measures full of innovation, fatal to liberty; and exposed to the most violent opposition, from the combined influence of prejudice and principle. Five persons, sir Thomas Clifford, the earl of Arlington, the duke of Buckingham, Ashley Cooper, and the earl of Lauderdale, were the little council selected by the king, to carry into execution his plan of changing the constitution and the religion of the kingdom; and, as the present confederacy corresponded with the initial letters of their names, they received the denomination of the Cabal. These men were not united by harmony of political sentiment, or by any bond of affection or party, previous to the association into which they were now formed by the choice of their sovereign. Some of them had professed to entertain views of policy and of the interest of England, very different from the purpose of their present coalition. Among others of them, competitions and animosities had subsisted, which, though apparently suppressed, were not in reality extinguished: and fortunately for the nation, they broke out afresh, caused a division among them, and saved the liberties of England, as soon as the king began to be staggered with the complaints and remonstrances of parliament[35]. The choice of the king, however, was not fixed, without a regard to talents, which recommended the members of the cabal to a preference, for the services he intended to exact from them. Arlington and Clifford were attached, with all the zeal of new proselytes, to the Roman catholic faith, which was a principal object of the alliance with France.

[35] North's Examen. p. 453. Memorial of Ruvigny, Dal. Ap. Life of James, 1670.

The former had been converſant in affairs abroad, and had acquired a great influence over the mind of the king, from having participated in his pleaſures, and accommodated himſelf to his temper. The latter had diſtinguiſhed himſelf as a ready ſpeaker in the houſe of commons, and had acquired reputation for capacity, and application in the management of buſineſs[36] The patronage of the dutcheſs of Orleans, which Buckingham enjoyed as long as ſhe lived, and the ardour with which he entered into the French intereſt, ſupported his claim to be admitted into the counſels of the cabal, notwithſtanding his having forfeited the confidence of the king, by the inſolence of his behaviour. The tranſcendent abilities of Aſhley Cooper rendered his ſupport deſirable, and his oppoſition formidable to every party. The earl of Lauderdale, by uniting zeal for the prerogative, with flexibility of temper, and compliance with the wayward humours and unſettled reſolutions of the king, gained a firmer hold of his confidence, than any miniſter he ever employed. The members of the cabal, as an encouragement for their ſervices, received donations of money from the French king, and diſtinguiſhed preferments from their own prince[37]

Meaſures taken in concert with Lewis.

From the time that the alliance with France was projected, the king had taken indirect meaſures to teſtify his partiality for Lewis, and to put himſelf in a condition of rendering him more open and ſubſtantial ſervices. French officers and ſailors were trained in the Engliſh fleet; naval and military improvements, diſcovered in England, were

[36] Sheffield, duke of Buckingham, vol. ii. Burnet.

[37] Burnet. Lauderdale was made a duke; Aſhley Cooper a peer, by the title of the earl of Shaftſbury; Clifford was alſo ennobled, and made lord treaſurer; Arlington was made ſecretary of ſtate.

imparted

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imparted to the French court[38]. By a measure, more treacherous and abusive of the confidence of parliament, Charles forwarded his preparations for entering into an efficient alliance with France. Under the pretext of an alarm from the augmentation of the French fleet, he solicited a supply from the commons, to enable him to fit out fifty-two ships of the line; and, in order more effectually to lull suspicions, he repeated his assurances of attachment to the national religion, and his resolution to execute, with rigour, the laws against the Roman catholics[39]. The supply obtained was basely applied to the support of that power which it was intended to control. He sent Mr. Coventry ambassador to Stockholm, to co-operate with the French agents in detaching Sweden from the triple alliance. The parliament, which was prorogued to the twenty-second of April one thousand six hundred and seventy-one, was, in consequence of repeated prorogations, prevented from meeting for the dispatch of business till the fourth of February one thousand six hundred and seventy three. Prince Rupert, lord keeper Bridgeman, Mr. secretary Trevor, and the duke of Ormond, were removed from the council of foreign affairs, that they might not give any obstruction to the measures the king was bound to pursue, in conformity to his engagements with France.[40].

Arbitrary measures of administration.

2d February, 1672.

Under the dominion of the cabal, emancipated from the control of opposing counsellors, and the awe of parliament, all disguise was laid aside, and the most violent measures were attempted, to accomplish the ends of the French treaty. The

[38] Secret History of Europe, vol. i.

[39] Journ. Commons, 14th Feb. 1670, and 13th March 1671.

[40] Kennet. Life of Ormond.

triple

triple league was diſſolved; war was declared againſt Holland upon the moſt frivolous pretences, and the commencement of it was attended with the moſt diſhonourable circumſtances[41]. The navigation act was ſuſpended. A proclamation was publiſhed, for maintaining ſtrict diſcipline in the army, in order to palliate the offence occaſioned by the additional numbers of ſoldiers quartered in the country. To ſuperſede the neceſſity of ſummoning a parliament to grant ſupplies, the exchequer was ſhut, and the ſums, due to many of his ſubjects, were applied by the king for the ſupport of his fleet and army[42]. A declaration for liberty

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[41] The pretences, under which war was declared againſt Holland, are acknowledged to be frivolous, even by authors partial to the court. Some of them were ſo trifling, that the very notice of them degraded the dignity of adminiſtration. They complained of libels, medals, and pictures in Holland, which were an affront to the king. Other reaſons, of a more ſerious complexion, ſuch as inſults and wrongs committed againſt the India company, were ſuggeſted by the influence of the court. The inſult to the Britiſh flag, inrolled in the liſt of provocations, was deſignedly courted by the Engliſh, and amounted to no more than this—that a Dutch admiral, with his fleet, upon the coaſt of Holland, had refuſed to ſtrike ſail, when required by a captain of one of the king's yachts; and, after all, the Dutch offered any ſatisfaction the king ſhould think fit to demand. But no ſooner was one complaint obviated, than another was ſtarted; and Downing, who was ſent to Holland to make complaints, returned with all poſſible haſte, as if he had been afraid of receiving ſatisfactory anſwers. North's Examen. Coke. Temple, vol. ii. and iii. Secret Hiſtory of Europe, vol. i. p. 138.

The war commenced with diſhonourable circumſtances. A fleet was ſent out, under the command of ſir Robert Holmes, to captivate the Dutch Smyrna fleet, previous to the declaration of war. The failure of this expedition was a great diſappointment to the cabal, who expected to procure ſuch a ſum by the prizes, as would enable them to carry on the war without aid from parliament. Ibid.

[42] The exchequer was twice ſhut; firſt, on the 8th Jan. 1672 to the 31ſt Dec. 1672, and again on the 31ſt Dec. 1672 to the 6th May 1673. It was expected by the cabal, that the detention

CHAP. I. 1672. liberty of conſcience was again publiſhed, as the moſt effectual method of reconciling diſſenters of every deſcription to the meaſures of adminiſtration. The chancellor of the exchequer, by his own authority, iſſued writs for the election of members to ſupply the vacancies in parliament[43]. In order to ſuppreſs the murmurs, and overawe the complaints, which a ſeries of meaſures, ſo arbitrary and dangerous, could not fail to provoke, a proclamation was publiſhed, threatening ſevere puniſhment againſt all perſons who preſumed, by writing or ſpeaking, to publiſh falſe news, or to intermeddle with the affairs of ſtate, or with the perſons of any of his majeſty's counſellors and miniſters.

June, 1672.

War with Holland.

The war with Holland was proſecuted with activity, but was not attended with the ſucceſs which had been anticipated by the cabal, and which was neceſſary to realize the ſchemes of independence and power graſped at by Charles. The wiſdom and enterpriſe of the young prince of Orange, now reſtored to the prerogatives of his anceſtors, united the councils and animated the reſolutions of all the ſtates, and diſplayed the moſt glorious and fortunate efforts of defence againſt the

tention of money, and the Dutch ſpoils, would ſuperſede all ſupplies. It is aſſerted, that, after the reſolution of ſhutting the exchequer was adopted by the cabal, the execution of it was ſuſpended, till they and their friends had drawn out the ſums due to them by government—Honeſty the beſt policy. Somers' Col. vol. vii. p. 363.

[43] This power, aſſumed by the chancellor, had been hitherto exerciſed by him only after receiving the ſpeaker's warrant. It might, perhaps, be the inſtrument of throwing ſome additional weight into the ſcale of the crown, by accelerating or delaying the time of election, ſo as to favour the intereſt of the candidates devoted to the court. This, however, muſt have been inconſiderable; and it rather appears to have been intended to ſerve lord Shaftſbury's own political views in the elections for the county of Dorſet, where his intereſt lay. North's Examen, p. 56.

combined

combined force of England and France. By entering into an alliance both with the Emperor and with Spain, he diſappointed that rapidity of conqueſt, upon which the Engliſh and French monarchs had confidently reckoned from the ſuperiority of their arms; and upon the accompliſhment of which, the independence and arbitrary views of the former were, in a great meaſure, ſuſpended. The temporary ſupplies, once and again derived from ſhutting the exchequer, were exhauſted. The funds, raiſed out of the Dutch ſpoils, fell ſhort of expectation; and neceſſity once more conſtrained Charles to ſupplicate aid of that very parliament, upon which it was the object of the war to render himſelf independent.

1673. unſucceſsful.

Two expedients only were left to the choice of the king, by which he could expect to perſevere in the ſyſtem of political meaſures he had adopted, in conjunction with the court of France. By ſmoothneſs of addreſs, and by anticipating the wiſh of his people, in retracting ſome of the moſt odious exertions of prerogative, which had taken place during the long receſs of parliament, the king might hope to ſooth the commons into an approbation of the war, and to obtain ſupplies for the maintenance of his army, which might be employed, at ſome future period, as the inſtrument of arbitrary power; or, by aſſuming the language of boldneſs and reſolution, parliament might be overawed, oppoſition diſconcerted in its firſt formation, and an eaſy and complete victory obtained over the liberties of his people. If the former of theſe was preferred, or if the king ſhould ever betray any inclination to relent or to yield, in one ſingle point, to the oppoſition of parliament, the cabal had reaſon to apprehend, not only a ſpeedy diſſolution, and the extinction of their political influence, but alſo to dread utter diſgrace and ruin from the

The king ſolicits the aid of parliament.

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the vengeance of an offended nation. As their intereſt prompted them to recommend an unſhaken firmneſs to the king, ſo the worſt effects, that could flow from it, were the violent meaſures of oppoſition in parliament, which would afford them an opportunity of accompliſhing, by more direct ſteps, a change in the conſtitution, the object of their confederacy. The bold ſpirit of the cabal, more than the timid diſpoſition of the monarch, dictated the ſpeech by which the king addreſſed his parliament, which met, for the tenth ſeſſion, on the fourth of February one thouſand ſix hundred and ſeventy-three. He aſſumed the language of high authority. He ſaid, that he had ſeen the good effects of his declaration for indulgence; that he would take it ill to receive contradiction, and that he was firmly reſolved to adhere to it. The earl of Shaftſbury, as chancellor, followed his majeſty, with a minute detail of the provocations of the Dutch, in order to juſtify the war; and held forth nothing leſs than their utter deſtruction, as eſſential to repair the injured honour, and to ſecure the future proſperity of the Engliſh crown. He concluded with the moſt fulſome panegyric upon the patriotiſm and virtues of the prince, which, compared with the ſentiments he ever after held, exhibits the moſt ſtriking example of verſatility and ſelf-contradiction, that can be ſelected from the hiſtory of any political character.

Prudent and firm conduct of the commons.

The wiſe and temperate meaſures purſued by the commons, diſappointed all the concluſions on which the ſchemes of the court were adapted; and broke to pieces, without any conflict or ſtruggle, a confederacy, armed for the deſtruction of the liberty and religion of England. The commons gratified the king's deſire, in the choice of a ſpeaker; they unanimouſly voted a ſupply of eighteen months aſſeſſment, at the rate of ſeventy thouſand pounds

pounds a month; they addreſſed him in the moſt affectionate expreſſions of loyalty: but they excluded thoſe members who had been returned upon the writs iſſued by the chancellor; and boldly remonſtrated againſt the declaration for indulgence, as a violation of law, and dangerous to the conſtitution[44]. And thus, by a well-timed mixture of patriotiſm and loyalty, they avoided giving any offence to thoſe who were attached to the monarchy, and cut off any reaſonable pretext of complaint from the king; while, at the ſame time, they carried along with them the approbation of all who were friends to the conſtitution. The confidence of the members of the cabal began now to be ſhaken, and their counſels to be divided. Some of them exhorted the king to adhere tenaciouſly to his indulgence, while others, ſuſpecting from the reſolute oppoſition of parliament, and the wavering of the king, who gave up the queſtion about the writs, that the ground, on which they ſtood, was no longer tenable, deſerted from the court, and enſured their perſonal ſafety, by expoſing thoſe meaſures of which they had been the principal abettors[45].

breaks and divides the cabal.

The king remained for a few days in a ſtate of perplexity and ſuſpenſe. He put on the countenance of obſtinacy. He addreſſed himſelf to the houſe of lords, complaining of the commons, and ſoliciting their ſupport to maintain his declaration. The diſapprobation of many of the members of both houſes, whom he had reckoned upon as friends, privately intimated to him, and backed by the preſſing entreaties of the French ambaſſador, in the name of his maſter, at laſt entirely overcame the reſolution of Charles; and, as if it had

1ſt March. Indulgence recalled.

[44] Journ. Commons, 5th, 7th, 19th, 26th, 27th February.
[45] Echard, vol. iii.

been

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been to atone for paſt offences, he recalled his indulgence, with expreſſions of penitence and indignation[46]. The commons having ſucceeded in their oppoſition to the indulgence, both houſes now turned their attention to ſtrengthen the barriers of the conſtitution in that quarter into which the king had repeatedly attempted to puſh the uſurpations of prerogative.

Addreſs againſt Roman catholics.

A joint addreſs was preſented by both houſes of parliament, repreſenting the dangers ariſing from popiſh recuſants, and praying the king to command prieſts and jeſuits to depart from the kingdom, and to diſband all officers and ſoldiers who refuſed to take the oaths[47]. This addreſs alſo met with a favourable anſwer from the king.

Teſt Act.

A more impregnable and laſting fence for the protection of the church of England the zeal of this parliament raiſed, by obtaining the royal aſſent to the teſt act, which excluded from any office or place of truſt and profit, all, who did not renounce the doctrine of tranſubſtantiation, and receive the ſacrament of the Lord's Supper, according to the form of the church of England[48]. It is a curious and memorable circumſtance, that an act, which ſhut the door of preferment againſt the proteſtant diſſenters, and doomed them to the ſame political incapacity with Roman catholics, not only paſſed without any oppoſition from the former; but, that it was promoted by the moſt reſpectable leaders of their party.

Reflections.

This conceſſion of the proteſtant diſſenters has been often applauded by their friends, as a ſingular example of prudence and generoſity; becauſe they ſacrificed their rights and reſentments, to the

[46] Echard, Colbert's Letters to Lewis, Dal. Ap. p. 94.
[47] Journ. Lords, 7th March.
[48] Journ. Lords, 29th March.

dread

dread of impending popery, and the ſecurity of the reformed religion[49]. Their conduct upon this occaſion, whether examined by the rules of probity, or the dictates of enlightened charity, will be found deſerving of explicit and marked expreſſions of condemnation. Profeſſing to guard againſt popery, did not the diſſenters act under the influence of its worſt principles? Did they not abandon their rights, as men and as chriſtians? rights, the renunciation of which, for a ſingle day, no fear of danger, nor proſpect of future peace, can juſtify, at the tribunal of conſcience.

The event of providence has inſtructed us, by this, and every ſimilar experiment, to reprobate the imprudence, as well as the immorality of that maxim, That it is lawful to do evil, when good may be obtained by it. A bill brought in for the relief of the proteſtant diſſenters, as the reward of their conſent to the teſt act, was defeated by the diſagreement of the two houſes, and the adjournment of parliament. And thus, the temporizing ſpirit of the diſſenters has tranſmitted bondage to their poſterity, which the liberality of the age in which we live, never could have impoſed; but from which even that liberality is not adequate to emancipate them, while it is counteracted by religious bigotry, and the timid policy of thoſe who diſpenſe the favours of government. 29th March.

An addreſs of the commons, complaining of grievances, attended the ſupplies[50]; but it is remarkable, that the moſt obnoxious meaſures which had been carried on during the adminiſtration of the cabal, were not only omitted, but ſcreened from future crimination, by an act of indemnity, extending to every offence committed againſt the Addreſs concerning grievances.

[49] Burnet, &c.

[50] Journ. Commons, 25th March.

ſtate,

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ſtate, before the fifteenth day of March, one thouſand ſix hundred and ſeventy-three[51].

1673. Such delicate forbearance in the enumeration of grievances, followed by a meaſure cancelling the deepeſt political guilt, was the price oppoſition paid for the ſervices of the revolted members of the cabal, who afterwards became their champions, and puſhed hoſtilities againſt the court to the greateſt extremities, which brought the government to the brink of a revolution.

From this period, through every ſucceeding ſeſſion of parliament in the reign of Charles, we behold a fixed and powerful oppoſition to the meaſures of the court. Though this may be accounted for, in ſome degree, by that jealouſy of French and popiſh influence, which ſpread over the nation, and was but too well juſtified by the ſecret intrigues and open proceedings of the court; yet oppoſition never could have attained to ſuch conſiſtency and vigour, if it had not been conducted with diſtinguiſhed ability, and encouraged, at the ſame time, by an increaſing diſtruſt of the ſteadineſs and reſolution of the prince. Of all the members of the cabal, no one had gained ſuch

[51] The grievances enumerated were: an impoſition of twelve pence per chaldron on coals, by an order of the privy council, for providing convoys: the danger ariſing from the plan, propoſed by his majeſty's proclamation, for trying offences committed by ſoldiers; and the irregularities and abuſes, occaſioned by the preſſing of ſoldiers, and quartering them in private families. Many grievances in Ireland were alſo enumerated, and referred, principally, to indulgences given to the Roman catholics in that kingdom. Journ. Commons, 25th March.

This addreſs was expreſſed in terms of great reſpect to the king, and concludes with obſerving, That, though it had been the courſe of former parliaments, to deſire a redreſs of grievances, before they granted ſupplies; yet they had ſuch full aſſurance of his majeſty's tenderneſs and regard for his people, that they humbly proſtrated themſelves at his feet with their petitions. Ibid.

aſcendant

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Oppoſition of Shaftbury to the court.

aſcendant over the counſels of the prince, as the earl of Shaftſbury. To his influence in particular, there ſeems to be ſufficient evidence for aſcribing the ſhutting of the exchequer: the iſſuing writs, under the ſeal of the chancellor, for new elections: the proclamation for ſuſpending penal laws againſt non-conformiſts; and the keen and impolitic proſecution of the ſecond Dutch war. To theſe meaſures, as we have now ſeen, were owing the decline of the king's popularity, and the ſudden tranſition of parliament from loyal and implicit confidence, to ſuſpicion of his deſigns, and hatred to his miniſters. It were, perhaps, too refined to aſſert, that Shaftſbury ſuggeſted obnoxious meaſures, with a deliberate and formed purpoſe of enſnaring the king; and of deſerting him in the hour of danger, after he had made a breach between him and his people[52]. Shaftſbury was probably ſincere in his hatred to Holland, and wiſhed to ex-

[52] It is probable, that Shaftſbury, at firſt, reſolved to ſtand by the king; and that his revolt was occaſioned by the king's wavering conduct, particularly in the affair of the writs: for, when the new writs were iſſued by the ſpeaker, it is aſſerted, that he refuſed for ſome days to ſeal them; declaring it to be an entrenchment upon prerogative. And when he was obliged to do it, by his majeſty's poſitive command, he went home, and turned his back upon the ſealers. Somers, vol. vii. p. 370.

Shaftſbury alone, of all the members of the cabal, was neither the object of impeachment, nor mentioned in an addreſs of grievance. The ſhock, which his ſudden and bold oppoſition had given to the ſpirit and meaſures of the court, completely obliterated the guilt he had contracted by his former aſſociation with miniſtry. The declining intereſt of Buckingham, Arlington, and Clifford, who were marked as the firſt victims of popular reſentment, mitigated the ſeverity with which the commons ſet out, in collecting materials of impeachment againſt them; and they were ſuffered to withdraw, at once, from influence and from danger. The power of Lauderdale and Danby, which continued unſhaken, and increaſing, amidſt the late convulſions of party, provoked the moſt virulent and perſevering attacks of oppoſition.

tend

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tend prerogative, in order to enlarge, at the ſame time, the ſphere of miniſterial power. The advancement of arbitrary government, was the baſis of his own projected elevation; but, when the meaſures he ſuggeſted met with an unexpected and indignant oppoſition from parliament; when the prince himſelf was alarmed, and yielded the queſtion of the writs, and the more favourite meaſure of the indulgence; the chancellor, rouſed by fear, and ſtimulated by reſentment, did not think it enough to diſappoint the court of that weight which accrued from his influence and expertneſs in debate; he ſuddenly turned the whole power of his eloquence and abilities into the ſtream of oppoſition; he announced menaces and dangers to the royal family, and in the preſence of the king, not leſs rude and diſparaging than thoſe which had grated the ears of his father in his loweſt humiliation[53]. Thus the adviſer of arbitrary meaſures, and the moſt zealous partiſan of the court, ſuddenly became the moſt virulent oppoſer of the prince, and the moſt violent and perſevering champion of patriotic meaſures. His abilities, his experience, and his temper, raiſed him to a decided pre-eminence, above all who ſtood forth as candidates to take the lead in popular cabals. The ardour, with which he purſued every meaſure in which he embarked, ſupplied the want of principle; and, notwithſtanding the notorious verſatility of his conduct, he gained from his adherents full credit for the ſincerity of the motives by which he profeſſed to be actuated. His ſagacity, enlarged and inſtructed by the various revolutions of government which had fallen within the compaſs of his experience, enabled him to penetrate with acuteneſs into the tempers and intentions of men;

His character.

[53] Burnet. North's Examen.

and

and to calculate, almoſt to a certainty, the influence of contingent events. He diſcerned, with no leſs accuracy, the natural infirmities, as well as the adventitious prejudices, of characters; and ever adopted the moſt ſucceſsful plans, to render them ſubſervient to his ambition or reſentment. He poſſeſſed an imagination lively and fruitful, and contrived expedients, ſuited to the exigencies and temper of his party, which eluded the invention of men of ordinary capacity. He wonderfully availed himſelf of accidental circumſtances, to invigorate a languiſhing, and to cheer a deſponding, faction. The acceſs which he had to the prince during the period of his adminiſtration, diſcovered to him all his intrigues, paſſions, and ſchemes. Like a revolted general, he carried along with him the moſt accurate knowledge of the ſtrength and reſources, the deficiencies and dangers, of thoſe againſt whom he now turned his arms. He knew upon what ſide their territory, weak or unguarded, invited the aſſailant to certain victory and plunder. The natural inſolence of his temper raiſed him above the awe of royalty, while his intimate knowledge of the corrupt policy and profligate manners of the prince, inſpired contempt for the character of the man. Shaftſbury was well aſſured, that he had entered the liſt of oppoſition, againſt a ſovereign, who never formed a wiſh for national proſperity; and that his own pretenſions to patriotiſm were not more falſe and hypocritical, than thoſe profeſſions of regard to the conſtitution and the intereſt of his ſubjects, which were repeated in the royal ſpeeches and proclamations. So far as regarded principle and patriotiſm, the king and his antagoniſt met upon equal terms. "Shaftſbury," ſaid the king to him, when he filled the office of chancellor, "you are the greateſt rogue in the kingdom." "I am,

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of any ſubject," replied the chancellor. In the receſs of parliament, he caballed with every party diſaffected to the court, and wrought upon the prejudices of the nation, to excite their terror of the approach of the Roman catholic religion. Many incidents, which now occurred, favoured his deſigns, and bore the moſt alarming ſymptoms of danger.

Converſion of the duke of York to the Roman catholic religion.

The converſion of the duke of York to the Roman catholic religion had been long ſuſpected, and was, at laſt, confirmed, by the reſignation of all his offices, in conſequence of the teſt act. He was about to contract a marriage with the princeſs of Modena, of the Roman catholic religion. If the partiality of the king to that religion, and his obſtinate attachment to France, alarmed the fears of the nation, the character and bigotry of the ſucceſſor threw them into deſpair.

Proceedings of parliament.

The effect of theſe impreſſions, and of the intrigues of Shafteſbury, were fully diſplayed in the ſucceeding ſeſſions of this parliament. The principal aim of the commons, in particular, was to excite, to cheriſh, and to inflame the dread of popery. They iſſued an order for the ſolemn obſervation of the fifth of November[54], as if the nation had been ſupine, and too ready to forget the bloody machinations of that religion. They addreſſed his majeſty, to interpoſe his authority, to prevent the marriage of the duke of York with the princeſs of Modena[55]. Not ſatisfied with the excluſion of papiſts from offices, by the teſt act as it now ſtood, a general teſt was propoſed, for diſtinguiſhing the proteſtants from the papiſts; and all who refuſed to ſubmit to it, were not to be permitted to come within five miles of the court[56].

[54] Journ. Commons, 27th October.
[55] Ibid. 31ſt October.
[56] Ibid. 30th October, 1ſt November.

They

They put a negative upon all ſupplies, till the kingdom was effectually ſecured from the danger of popery[57]. They preſented an addreſs for a general faſt[58], and were preparing another againſt a ſtanding army, when his majeſty prorogued the parliament. 1673. 4th Nov. 1763.

During the receſs of parliament, after the twelfth ſeſſion, the king recommended to the chief juſtices, to put the laws in execution againſt the Roman catholics. It was reſolved in council, that no Roman catholic ſhould preſume to approach his majeſty's preſence, or the vicinity of the court[59]. But the jealouſy of the nation was too much inflamed, to be appeaſed by attentions upon the part of the king, evidently extorted by the neceſſity of his affairs. The houſe of peers, the laſt to depart from reſpect to the court, had now caught the alarm, and indulged the predominant ſpirit of the nation. At the beginning of the next ſeſſion, they concurred with the commons, in an addreſs for a national faſt, on account of the danger of popery. The commons reſolved to have all their grievances effectually redreſſed, and the proteſtant religion and their liberties ſecured, before they took the king's ſpeech into conſideration. As if the danger had been imminent, they addreſſed his majeſty, to order the militia of London, and the county of Middleſex, to be ready at an hour's warning, to ſuppreſs all tumults and inſurrections occaſioned by the papiſts[60]. The liſt of grievances, contained in the addreſs of the commons, indicated a perſonal jealouſy of the king, and a dread of arbitrary power, as well as 1674. 13th ſeſſion, 7th January, 1674.

[57] Journ. Commons, 31ſt October.
[58] Ibid.
[59] Echard, vol. iii.
[60] Journ. Commons, 12th January.

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of the popiſh religion[61]. Under the influence of theſe apprehenſions, both houſes purſued, through the ſucceeding ſeſſions of parliament, a ſeries of meaſures, calculated to circumſcribe the power of the crown, and to take away all reſources of ſupplies, without the conſent of the national repreſentatives. A ſtanding army, in which were included the king's body-guards, was voted a grievance[62]. A bill was brought in, to make it treaſon to levy money upon any tax beyond the term preſcribed by parliament. They appropriated the tonnage and poundage, according to its ancient and legal deſtination, to the uſe of the navy; and preſented an addreſs, to prevent any further anticipation of the cuſtoms of England or Ireland[63].

Addreſs againſt Lauderdale.

But the meaſure which oppoſition moſt ſtrenuouſly laboured to accompliſh, and for which repeated addreſſes were preſented to the king, was, the diſgrace of the earl of Lauderdale[64]. His miniſterial conduct in Scotland exhibited examples of arbitrary power, not only unprecedented, and ſubverſive of the freedom of that kingdom, but evidently fraught with the moſt dangerous deſigns upon the peace and conſtitution of England. The militia of Scotland, raiſed for the internal defence of that kingdom, was ſubjected, by an act of the Scotch parliament, to the uncontrolled authority of the king, and obliged to march wherever his affairs required its ſervices.[65]. Oppoſition to a ſtanding army in England was of little avail

[61] Journ. Com. 7th, 11th, 14th February.
[62] Ibid. 7th February.
[63] Ibid. 19th May, 19th October.
[64] Ibid. 31ſt January 1674, 23d April, 5th May 1675.
[65] Hiſtory of Affairs in Scotland from 1660. Account of Grievances, by Lauderdale. Impeachment of the duke of Lauderdale, &c. by the city of Edinburgh. Somers, vol. vii. p. 195. 200.

while

while the king retained a body of troops in the neighbouring kingdom prepared for the moſt deſperate ſervices. Many acts of private oppreſſion were enumerated in the articles exhibited againſt Lauderdale, which excited a general indignation in both kingdoms againſt him, but had no effect in leſſening his influence at court.

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Next to the duke of Lauderdale, the earl of Danby was the object of parliamentary reſentment. As his uſefulneſs to the crown, more than perſonal favour, was the ſource of his preferment, ſo the envy of his colleagues in adminiſtration, and venial political errors, rather than criminal miſconduct, produced that odium which now began to purſue[66], and afterwards accompliſhed, his ruin. Sir Thomas Oſborne was firſt employed in a commiſſion to examine the accounts of the ſums which had been granted to his majeſty during the Dutch war. In the proſecution of Clarendon, he adopted the keenneſs and reſentment of the duke of Buckingham, by whom he was early befriended, and afterwards recommended to employment under the adminiſtration of the cabal. He diſcovered great diligence and capacity for buſineſs in the diſcharge of the office of treaſurer of the navy, to which he was appointed in the ſecond Dutch war. On the reſignation of lord Clifford, he was appointed to ſucceed him in the office of high treaſurer, upon the condition of paying him one half of the ſalary. He had, unqueſtionably, the merit of introducing greater œconomy into the management of the public revenue, than had been obſerved by his predeceſſors in office ſince the commencement of this reign; for he had paid off very conſiderable arrears with which it was embarraſſed, made the ſtated payments more punctual, and, by

Lord Danby becomes the object of the reſentment of the commons.

His conduct as a miniſter.

[66] Journ. Commons, April, May, paſſim.

rendering

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rendering ſeveral branches of the revenue more productive, he raiſed the national credit, and borrowed money at eight per cent. which had not uſually been procured at leſs than ten. He was ſincerely and uniformly attached to the proteſtant intereſt, and effectually contributed to its ſupport. He was the principal inſtrument in advancing the prince of Orange in the line of ſucceſſion; and by maintaining a correſpondence with him, and raiſing obſtructions to the alliance with France, prevented its full operation to the detriment of that prince, and the proteſtant intereſt; and yet, the alliance with France, which he ſecretly abhorred and thwarted, was the baſis of his unpopularity and of his diſgrace[67]. But whatever his merits were, his elevated preferment drew upon him an uncommon ſhare of that envy, which always attends proſperity. As it is in vain to expect credit for good intention, where the outward conduct is cenſurable, ſo the meaſures of the court were, at this period, ſo unconſtitutional and unpopular, that it is no wonder if they were ſucceſsfully improved by his enemies to criminate the miniſter, under whoſe reſponſibility they were conducted. From the charge of depravity, however, he cannot be exempted, when it is admitted, that he augmented his private fortune by the ſale of offices, and diſtributed money among the members of parliament, who proſtituted themſelves to ſupport the

[67] Rereſby. Memoirs of Danby. Lord Danby was ſo averſe to alliances with France, that when he was not able to turn the king's inclination againſt them, he adviſed him to inſiſt upon high and difficult conditions, that France might be diſguſted. He was therefore ſo obnoxious to the French king, that Ruvigny was ſent to England to thwart his adminiſtration It was known, at that period, that Ruvigny upbraided Danby for his oppoſition to the French intereſt; and the duke of York diſliked him for the ſame reaſon. Secret Hiſtory of Europe, vol. i. p. 208. Burnet, 1676. Life of James.

meaſures

measures of the court. The first of these charges, detestable as it justly appears, was considered in this reign, and even after the revolution, as making a part of the fair and established perquisites of ministerial offices. The corrupting of the members of parliament, introduced by the crooked politics of Charles the Second, was now practised with so little shame and reserve, and so much expected by the mercenary candidates for the wages of iniquity, that no minister could hope to retain his power without having recourse to it. Dexterity in the management of this nefarious traffic, was even considered as an important ministerial accomplishment. It was, however, exercised by lord Danby with so little discretion and success, that it proved but a feeble bulwark against that combination which was now forming for the destruction of his power[68]. The superior influence of the court, or the candour and justice of parliament, defeated the design of his enemies at this time, and a variety of articles, presented against him in the commons, in order to form the grounds of impeachment, were rejected.

To counteract these proceedings of opposition, a very impolitic measure was suggested in the cabinet, and soon brought forward in the house of peers. It was proposed, that a more strict and rigid test should be exacted of the members of both houses of parliament, and of all persons invested

New test bill.

[68] Lord Danby, instead of taking off the great and leading men, which had formerly been the practice, applied only to those of low rank and character, reckoning, that he could purchase ten of them at a cheaper rate than one of the leading members. The consequence was, his losing the majority in the house; because those, who were inclined to vote with the minister, were ashamed to be upon the side manifestly run down in the debate. Burnet, 1675.

with

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with public office[69]. For this purpose a bill was framed, to confine all power and offices to such as adhered to the principles of the old cavaliers, with respect to the government of church and state. These principles, which had predominated during the first nine sessions of this parliament, began to decline; and, if the court did not quickly interpose, while its influence in any degree remained, a revolution of political sentiments seemed to approach, which would extinguish all hope of increasing its future splendour and dignity. The proposed act, so far as integrity and religion could be trusted, must necessarily prove an effectual obstacle to every plan of reducing the power of the crown, or altering the government of the church. It was declared unlawful to resist, not only the king, but those who were commissioned by him; and a solemn obligation was contracted, not to attempt any alteration whatever in the government of the church or state, as it was then by law established. The declaring it unlawful to resist those who were commissioned by the king, seemed to point particularly at the late proceedings of the commons, and to be calculated to render, not only the crown, but ministers, arbitrary, by securing them from resistance, while acting in the prosecution of unconstitutional and oppressive measures. The engaging to make no alteration in the government of church or state, at once overturned the supremacy of the crown, and the exercise of legislative power in parliament. These consequences, easily foreseen, exposed this bill to the opposition of many, who had hitherto been in the interest of the court; and though it passed in the house of lords, it was only by a majority of two voices, after having been followed by protests in every stage of it, and

[69] Journ. Lords, 15th April. Lords' Debates, vol. i. p. 129.

considerably

conſiderably altered and palliated with a clauſe againſt popery, which was not originally intended by thoſe who moved it[70]. There was great reaſon to apprehend, that, by the exertion of court influence, which was now ſtretched to its utmoſt pitch, it would alſo have paſſed in the houſe of commons, when a diſpute between the two houſes obliged the king to put an end to the ſeſſion of parliament[71].

9th June.

[70] Journ. Lords, April, May, paſſim.

[71] One doctor Shirley brought an appeal before the houſe of lords, from a decree in chancery, againſt ſir John Fagg, a member of the houſe of commons, which the lords received. The commons objected, that the lords exceeded their powers, by receiving an appeal from a court of equity, and that it was a breach of privilege for the lords to ſummon a member of the houſe of commons to appear before them; and, in reſentment of this indignity, they ordered Shirley, and the lawyers who pleaded his cauſe at the bar of the lords, to be committed to priſon. Journ. Lords, 6th, and Commons, 14th May.

Both houſes were heated by this diſpute, and paſſed many angry votes and reſolutions in oppoſition to each other. Ibid.

The violence of this diſpute excited a ſuſpicion, that it was ſtirred up and fomented by the leaders of oppoſition, not only to diſappoint the court of the teſt bill, but to accompliſh the diſſolution of parliament, as the reſentment of both houſes againſt each other ſeemed too deeply fixed to be effaced by prorogations. Burnet.

A jealouſy between the two houſes commenced at an early period in the ſecond parliament of Charles, and continued till its diſſolution. The great demands of the king for money made him pay greater court to the commons, who became elated with a ſenſe of their own conſequence. Evil counſellors uſed to tell the king, that if he had the command of the commons, he need not regard the lords. Life of Clarendon, vol. ii.

The long continuance of parliament enhanced the political conſequence of every member of the houſe of commons. Theſe circumſtances, and the remembrance of the ſucceſsful uſurpation of the commons upon the lords in the reign of Charles the Firſt awakened the jealouſy of the latter, and rendered them very prone to take offence at the former. The commons were the firſt movers of many important bills in this parliament, and when

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when the lords were dilatory in proceeding on them, the commons were wont to ſend them meſſages to quicken their diligence. The lords degraded themſelves, and became more expoſed to the inſolence of the lower houſe, by an extreme jealouſy of trifling privileges, which they exerciſed with great abuſe. Protections for arreſt of debt were ſhamefully extended, and even ſold by the ſervants of peers to bankrupts, to the ruin of honeſt tradeſmen. The dignity and reputation of the upper houſe was much ſunk, by altercations, perſonal abuſe, and the rudeſt violence among themſelves. Life of Clarendon, vol. ii. p. 294-5.

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Charles makes peace with Holland.---but continues ſtill in the Intereſt of France.---Enters into a new Treaty with Lewis,- -who endeavours to obtain a ſeparate Peace with Holland.---Patriotiſm of the Prince of Orange.---The Court attentive to the Elections.---Parliament meets,---addreſſes the King to form Alliances againſt France.---Altercation between the King and the Commons.---Marriage of the Prince of Orange to the Lady Mary,--made the occaſion of exciting Jealouſies in England,---and in Holland.---The Agents of Lewis and the Leaders of Oppoſition unite in the ſame Views,---of diſbanding the Army,---and diſſolving the Parliament.---Union between Lewis and the popular Party unnatural and conſtrained. --Parliament meets ---expreſſes Diſtruſt of the King.---Prorogued.---Embarraſſment of the King. --Another Seſſion of Parliament.---Ill-humour of the Commons.---Apology for them.---France evades the Conditions ſhe had agreed to for a Peace.---Sir William Temple ſent to enter into an Alliance with the States,---which is overturned by the wavering of Charles.---The States make Peace with France---Obſervations upon the Conduct of Charles.---Lord Danby impeached.---Diſſolution,---and Character of the ſecond Parliament of Charles.

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IT is now time to return to thoſe meaſures and events which were coincident with the parliamentary proceedings already recited, and which exhibit a picture of the ſpirit and political views of the court, more genuine and lively than that which is drawn from the public declarations of the king and his miniſters, deſigned merely to varniſh obnoxious meaſures, and to conciliate the affections of the people in the moments of ſolicitation and dependance.

In

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1675-6. Charles makes peace with Holland, 28th February, 1674, but continues ſtill in the intereſt of France.

In compliance with the repeated recommendations of parliament, and the moſt earneſt wiſhes of his people, the king amuſed them with a proſpect of peace with Holland; but the tardineſs of his meaſures and negociations for that purpoſe, and his obſequiouſneſs to the court of France, tended the more to inflame the jealouſy and exhauſt the patience of the nation. When, at laſt, to the remonſtrances of parliament, the threats of Spain were added, Charles was conſtrained to conclude the peace; but he did not diſcontinue his friendſhip and connection with France. His intimation of the peace to the French ambaſſador, was accompanied with an offer of his mediation between France and Holland, a truſt which he well knew how to employ to the advantage of the former. He ſecretly bound himſelf to conſent to no treaty with the confederates, without the participation of France. He informed Lewis of the intelligence he had received from his nephew, and expreſſed ſatisfaction upon hearing of the ill ſucceſs of Holland; becauſe he hoped it would compel her to ſubmit to any terms France ſhould pleaſe to dictate. He ſtill permitted the Engliſh troops, to the amount of ſome thouſands, to continue in the ſervice of the French king, and furniſhed him with warlike ſtores[1]. Charles had reaſon, however, to apprehend, that theſe meaſures could not eſcape the ſuſpicion of the nation, and the animadverſion of parliament; and that the latter, after having ſucceeded in accompliſhing peace with Holland, would purſue their victory, by preſſing him to take an active part in the alliance againſt France. To diſcontinue the meeting of parliament, which would no longer acquieſce in the

[1] Dalrymple, Ap. 108, 109. Secret Hiſtory of Europe, vol. i. p. 153. Coke, p. 84.

neutrality

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neutrality of England, was an object no less important to the interest of Lewis, than it was agreeable to the inclination of Charles. A new money treaty, therefore, was carried on and completed between Lewis and Charles, to enable the latter to subsist during the long suspension of parliament[2].

Enters into a new money treaty with Lewis, Sept. 1674.

From the period that Charles withdrew from open hostilities against Holland, now strengthened by alliances with Spain and the Emperor, Lewis employed all the force of artifice and intrigue, to obtain a separate peace with Holland, as the only means of keeping the unjust acquisitions he had made in Flanders[3]. The influence of the Louvestein faction, which he had now recovered, a growing jealousy of the power of the Stadtholder, and the inconveniencies the commerce of Holland sustained by the continuance of the war, must probably have secured the object Lewis so eagerly desired, had it not been obstructed by the animated and well-conducted opposition of the prince of Orange. By cementing the jarring factions of the States, and withstanding the force of superior arms, he had, in the course of the war, exhibited examples of political sagacity and military skill, beyond his years, and which surpassed the most sanguine expectations of his country[4]. While the applause justly due to his talents and success obtained a decided sway in the councils of the States, a principle of firm and disinterested patriotism

who endeavours to obtain a separate with Holland.

Patriotism of the Prince of Orange.

[2] Test. Polit. Colbert. p 296. By this treaty, Charles agreed either to prorogue his parliament till April 1675, in consideration of 500,000 crowns; or if he convened it in November, to dissolve it, in case it should refuse to give money; for which service he was to receive a pension of 100,000 pounds from France. Dalrymple, Ap. p. 98. 102.

[3] Test. Polit. Colbert, d'Avaux Negociations, vol. i.

[4] Temple, vol. i. Life of William, vol. i.

made

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made him with diſdain reject the alluring baits of profit and ambition, thrown out by Lewis and Charles in order to detach him from the intereſt of the allies. He was promiſed a full indemnification for all his claims upon Spain, which would have rendered his private fortune independent and ample: his ambition was aſſailed by an offer of the ſovereignty of the United Provinces, under the joint protection of England and France[5]. Immoveably fixed in the reſolution of ſtanding or falling with his country, he ſpurned at any ſcheme of private emolument or dignity, faſtened to conditions debaſing to her honour, and fatal to her liberty and independence. Though he had met with perſonal injuries from the king of Spain, who evaded and delayed the payment of very conſiderable ſums due to his family[6]; he did not relax his vigilance in guarding and defending her intereſts, interwoven with thoſe of Holland. And though, at one period, the immenſe military preparations of France, the impreſſion of her intrigues, which began to ſhake the union of the States, and the unnatural coldneſs of his uncle, preſented to him the deſperate ſituation of his affairs, he maintained the ſame undaunted magnanimity, and derived hope from the juſtice of his cauſe, and the conſciouſneſs of that capacity and fortitude with which he was able and determined to adhere to it. When Charles, after repreſenting the inevitable ruin of his country, as the conſequence of his obſtinacy, in rejecting a peace with France, aſked him, what he would do when that ſhould happen; "I am determined," ſaid he, "to die in the laſt "ditch[7]."

5 Ibid. Kennet, vol. iii. p. 311.—Vie de Guillaume.
6 Letters d'Eſtrade.
7 Temple, Kennet.

During

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During the long interval of parliament, by repeated adjournments, in conformity to the king's engagements with France, the court did not neglect to cultivate and extend its parliamentary influence; a certain evidence, that the desperate resolution for discontinuing parliaments was not yet adopted, and that a meeting of that assembly was considered as an event that could not be postponed to a distant period. Whenever any vacancy happened, the influence of the court was in motion, and great success attended its endeavours to procure the election of such members as were well affected to the person of the king, or whose indigence and venality prepared them to become an easy prey to the allurements of corruption[8]. And, when the impatience of the nation, and the exigency of the crown, rendered the delay of a session no longer safe nor convenient, great sums of money were distributed, to retain a majority of the members of the house of commons in this interest[9].

1677. The court attentive to the elections.

In the beginning of the sixteenth session of this parliament, the influence of the court prevailed. A supply of five hundred and eighty thousand pounds was voted, for the purpose of augmenting the navy[10]. No expressions of resentment announced a sense of the indignity which parliament had sustained, by a long interruption of its func-

Parliament meets. 15th Feb.

[8] Reresby, Dalrymple, Ap.

[9] The continued influence of corruption was necessary to retain the services of men, who were unacquainted with any restraint derived from principles of honour or dignity of station. A public table was furnished for them, at the expence of the court, during the session of parliament. It is even asserted, that their clothes, and other necessary expences for their persons, were defrayed from the king's purse. This anecdote, however, is recited by a person whose asperity against the court diminishes the credit due to his authority. Marvel. Burnet, 1675.

[10] Journ. Commons, 21st February.

tions

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tions and utility, and by the obſtinacy of the court, in ſtill adhering, though under diſguiſe, to thoſe connections which were ſo odious and alarming to the nation. A queſtion of conſtitutional importance was introduced into the houſe of lords; namely, Whether the parliament was not legally diſſolved by the ſtatute of Edward the third, which enacted, that a parliament ſhould be held, every year, once, and oftner if need be[11]? But the iſſue of this queſtion, and the fate of its abettors, rather tended to augment the authority of the court; to diffuſe a terror of its reſentment; and to depreſs the hopes of oppoſition. The motion was negatived without a diviſion, and the few ſupporters of it, upon refuſing to recant their ſpeeches, and to aſk pardon, were committed to the Tower, there to continue during the king's pleaſure.

This temporary triumph of the court was not, however, ſufficient to extinguiſh the courage of oppoſition, re-animated by the ſtate of foreign affairs, and by the conſternation and anxiety which, more and more on that account, agitated the people. Every new conqueſt atchieved by the arms of France began now to be conſidered as a progreſſive ſtep towards the eſtabliſhment of popery and arbitrary power in England. Alarmed

[11] Lords' Debates, vol. i. p. 187. The king had prorogued the parliament, from the 22d November 1675, to the 15th February 1677. This was the longeſt prorogation, but not the longeſt interval of parliament, that happened in this reign.

The argument for its diſſolution turned entirely upon the pointing and conſtruction of the words of the ſtatute of Edward. The one party contended, that the ſtatute provided for a parliament once a year, abſolutely and unconditionally: the other inſiſted, that the obligation of the king to aſſemble a parliament, depended upon the condition of the nation; and that *once*, as well as *oftener*, referred to the clauſe, *if need be*.

and

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and indignant, the nation could no longer ſubmit to a neutrality, in the conteſt carried on between France and the confederate powers. In compliance with theſe ſentiments of the nation, addreſſes of the commons were, repeatedly, preſented to the king, praying him to enter into alliances againſt France, and promiſing to aſſiſt him with ſupplies neceſſary for that end[12]. This ſubject, at laſt, engroſſed the whole attention of parliament, and produced, after ſucceſſive adjournments, through the remainder of this ſeſſion, altercations between the court and the country party, which retarded the diſpatch of public buſineſs, and ſharpened political animoſities. Had the king openly avowed his purpoſe of remaining pacific, he muſt of neceſſity have foregone all hope of the approbation of his ſubjects, and every claim upon the generoſity of their repreſentatives. He profeſſed the moſt cordial inclination to indulge the ſentiments of the nation; but inſiſted upon a liberal ſupply, as a preliminary condition of his entering into the war, and forming engagements with the confederates. The commons, diſtruſtful of his promiſes, recommended to him, firſt, to complete his alliances with the emperor and with Holland; and pledged themſelves to grant ſupplies, liberal and adequate to the expenditure which theſe would occaſion; and, as an earneſt of their future generoſity, they voted a ſmall ſupply[13]. The king complained, that his prerogative was invaded by the dictatorial language of the commons, in preſcribing what meaſures he ought to purſue with reſpect to peace and war; and, in expreſſion of his reſentment, adjourned the parliament, from time to time, till 16th April.

1677. addreſſes the king to form alliances againſt France.

Altercation between the king and the commons.

[12] Journ. Commons, March, April, paſſim.

[13] Journ. Commons, March, April, May, paſſim. Grey's Debates, vol. iv.

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the twenty-eighth of January one thouſand ſix hundred and ſeventy eight.

This interval is rendered particularly memorable, by an event which deeply affected the ſtate of politics and parties, and produced the moſt important conſequences to the conſtitution and future proſperity of England. When the ferment of the nation had ariſen to the higheſt pitch, and diſquietude and alarm diſtracted the mind of the king, the prince of Orange arrived in England, to ſolicit his uncle to accede to the alliances which he had formed, and to pay his addreſſes to lady Mary. The anxious expectation of all parties in England awaited the reſolutions of Charles. The earl of Danby, true and conſtant in his friendſhip to the prince, embraced the favourable circumſtances of this juncture, to urge the advantages which would ariſe from forming a nearer alliance with him, as the moſt likely expedient to reſtore the good temper of the nation, and to procure tranquillity to the king[14]. Impreſſed with the view of theſe advantages, the king ſuddenly adopted the reſolution of giving his niece in marriage to the prince of Orange; and it is probable, at the ſame time, that he flattered himſelf with the view of rendering this connection ſubſervient to his engagements with France[15]. Whatever the intentions

Marriage of the prince of Orange to the lady Mary.

4th Nov.

[14] Danby's Memoirs.

[15] There are the following reaſons for believing, that Charles did not mean to hurt the intereſts of France by conſenting to this marriage. After the adjournment of parliament, he was as eager as ever to perſuade his nephew to conſent to a ſeparate peace with France. He ſolicited, and obtained, an augmentation of his own penſion from that kingdom. He might naturally expect to make his nephew more dependant in conſequence of this marriage, and obtain, from his ſenſe of intereſt and gratitude, what he could not bring him to conſent to by importunity, threats, or promiſes.

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tions of Charles, or his miniſter, might be, this meaſure was productive of effects, in the firſt inſtance, the reverſe of what it ſeemed naturally calculated to produce. Although this connection gave general ſatisfaction to the people of England, yet, by the refined intrigues and negociations of France, it was really made the inſtrument of diverting, for a time, the odium of the Engliſh nation, from herſelf, and of inflaming a jealouſy of the conduct of the king, by ſubſtituting an object of near and more affecting danger. The daring ambition and extended dominion of France, galling to the people of England, on account of the hereditary rivalſhip and animoſity, which ſubſiſted between the two nations, became ſtill more grievous and alarming, when conſidered as preparing the way for the introduction of arbitrary government, and the eſtabliſhment of the Roman catholic religion. The obſtinacy of the king, in cultivating and retaining his alliance with France, ſo repugnant to the ſentiments of his people, and the remonſtrances of his parliament, laid a juſt foundation for thoſe ſuſpicions, which have been amply confirmed by vouchers lately brought to light. It was almoſt unavoidable to conclude, that he de-

made the occaſion of exciting jealouſies in England

promiſes. He firſt endeavoured to make conditions with the prince; but, finding him untractable, truſted to the operations of theſe motives. Temple, vol. i. Dalrymple's Appendix, p. 128.

Whatever the views of Charles were, it is certain, that Lewis expreſſed ſurpriſe and indignation when he received the news of the prince of Orange's marriage, and intimated his diſpleaſure againſt Charles, by withholding the penſion he had promiſed. Charles, offended at the unexpected anger and neglect of Lewis, recalled his proclamation for the adjournment of his parliament till April 4, 1678, according to his ſtipulation by the ſecret treaty, and ſummoned it to meet 28th January 1678; and, in order to regain its confidence, he entered into a league, offenſive and defenſive, with the States of Holland, 16th January 1678. Ibid.

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rived immediate ſupplies from the liberality of France, and that he had ground to expect the aid, both of money and of arms, to eſtabliſh the independence of the crown, and to confirm its uſurpations upon the privileges of his ſubjects. The accepting of money from France, was more diſhonourable to the character of the prince, than it was hurtful to the intereſt of the nation; but his plan of independence upon parliament, involved the deſtruction of all that was ſacred and dear; and rouſed the keen indignation and unremitted vigilance of every patriot. From whatever quarter it proceeded, or by whomſoever abetted, arbitrary government was equally the object of abhorrence. Every prejudice was to be ſacrificed, every animoſity ſuſpended, every aid embraced, in order to prevent the growth of arbitrary power---the conſummation of national miſery. From principles ſo plauſible, and arguments ſo popular, the ingenuity of French agents could be at no loſs to extract materials well fitted to work upon the paſſions of the Engliſh nation, and to ſoften, or turn into a new channel, that jealouſy, which threatened to obſtruct the career of their victories upon the continent. The marriage of the prince of Orange, it was now inſinuated, muſt utterly cut off all hope, from the patriotic party, of deriving protection or ſupport from his talents, in defence of their violated laws and tottering conſtitution. Gratitude for the honour he had received, and dependence on future favours, would unavoidably bend him into a compliance with the deſires of his uncle and father-in-law, while his reverſionary expectations upon the throne of England would captivate his ambition, and diſpoſe him to connive at every effort calculated to extend that power, which might, one day, deſcend into his own

hands[16]. The ſame engine of policy was employed to undermine the confidence which the prince hitherto enjoyed in the ſtates of Holland, and to weaken his influence in the direction of their counſels. What had they to expect, but that the influence of Charles and James, of whoſe ill-will they had ſo many proofs, would be exerted to give every aid to advance the power and prerogative of their relation, at the expence of the immunities and privileges of the States? A recent event was improved to give colour to theſe inſinuations and ſuſpicions. The State of Guelderland had made a tender of the ſovereignty of their province to the prince of Orange, which, it appeared, his prudence, rather than his moderation, had induced him to decline. He did not inſtantly reject this offer; he ſounded the ſentiments of the reſt of the provinces; he found them againſt the meaſure; and had, therefore, waved the acceptance of a dignity, which, without their concurrence, muſt have been extremely mutilated and precarious[17].

The effects of theſe intrigues of France, and the ſtrain of argument with which they were artfully gloſſed, were now manifeſt, both in Holland and in England. In the former, the dread of diſtant danger, from the ambition of France, yielded to the domeſtic jealouſy of the talents and aſpiring temper of the prince of Orange. His intereſt began to ſink apace; that of the Louveſtein faction to aſcend; and the project of a ſeparate peace with France, without regard to the confederates, was every day gaining proſelytes[18]. In England, the views of France, though in a clandeſtine man-

[16] Dalrymple, Ap. p. 128. 142.
[17] Neuvile, T. 4. Life of William.
[18] Neuvile. Life of William.

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ner, were no less effectually promoted. Persons of high rank and reputation began to hold intercourse with the French agents, and to concert measures for preventing the war, which they, and the party in opposition, with whom they were connected, had hitherto urged with fervour and importunity. The danger of arbitrary power, imminent and formidable, absorbed every other passion, and sanctified, in their eyes, every mean or expedient by which it could be averted. That the assistance of France might be successfully employed to this purpose, was an opinion, not weakly or corruptly adopted in consequence of the sedulous application and specious sophistry of her agents, or the influence of her money profusely dispersed among the members of parliament, but founded upon the conviction of a real, though very unexpected and extraordinary coalition of interests and designs. To prevent the increase of the military power of England, was an object of such magnitude in the eyes of Lewis and the English patriots, that all their private animosities vanished before it. The latter were afraid, that a standing army, if once established in England, would be employed to overturn their liberties, and to fix the roots of exorbitant prerogative. The French king was afraid, that the current of national opinion would overpower the private inclination of Charles, and finally direct the operations of that army, in conjunction with the confederates, to reduce his conquests in Flanders. The dissolution of the parliament of England was an object of equal solicitude to Lewis and to the English patriots. To the former it was obnoxious, because it had set itself in determined opposition to his projects; and, not satisfied with having torn their monarch from his interest, the commons now wanted to compel him to take an active part in overturning that power,

The agents of Lewis, and the leaders of opposition, unite in the same views

of disbanding the army,

and dissolving the parliament.

power, which he had formerly laboured to enlarge. By the patriots the diſſolution of parliament was eagerly purſued; becauſe, though their influence had increaſed in the late ſeſſion, yet there ſtill remained in the houſe of commons ſuch a ſtock of their original loyalty, as rendered it difficult to fix a majority of members in oppoſition to the intereſt of the court. An hatred to lord Danby, which, for reaſons already mentioned, actuated both Lewis and the leading members of oppoſition, alſo formed an illiberal, but nevertheleſs a powerful, bond of union between them; and employed their combined efforts to accompliſh his diſgrace, by whatever means it could be obtained[19].

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But though theſe motives of union between France and the patriotic party were manifeſt and forcible, yet the latter were extremely diffident about the friendſhip of the former; and the advantages they expected from it, were partial and reſtricted. They were well pleaſed to find that France was jealous of the conduct of Charles; and that ſhe was perſuaded, that it was not her intereſt that he ſhould become maſter of the liberties of his people. They therefore conſented to act in concert with her, for the obſtruction of that event: But it was only in an indirect and concealed manner, and in a limited degree, that the leaders of the popular party could undertake to concur with the views of France. To have coincided openly or avowedly with her ſchemes, or even to have uſed expreſſions of amity and peace in any one inſtance whatever where her intereſts were at ſtake, would have been ſuch an offence to the ſtrongeſt prejudices of the nation, and ſuch a glaring contradiction to their own avowed ſentiments, as muſt

Union between Lewis and the popular party unnatural and conſtrained.

[19] Dalrymple. Ap. p. 129. Memoire de Barillon, p. 131.

utterly

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utterly have extinguiſhed their credit for integrity and patriotiſm. Nay, they durſt not even engage directly, to oppoſe the granting of money to the king, for defraying the expences of a war with France, leſt they ſhould incur the charge of inconſiſtency, or the more infamous reproach of favouring her intereſts. They propoſed therefore to clog the ſupplies with clauſes injurious to the prerogative; to annex diſagreeable conditions to them; to do every thing to give the court vexation; which they repreſented to the French agents, as the moſt effectual method of throwing the king again into the arms of Lewis[20]. So ſenſible were the leaders of the country party of the odium of encountering, and the impoſſibility of overcoming, the national antipathy to France, that they promiſed to cover their deſigns of ſerving her, with every external appearance of hoſtility; and even to join in importuning the king to the declaration of war againſt her[21]. Nor does it appear

[20] Dalrymple, Ap. p. 129. Memoire de Barillon, p. 131.

[21] Barillon writes to Lewis, 11th April 1678, that in order to prevent great ſupplies of men and money being ſent from England into Flanders in ſupport of the confederates, the leaders of the popular party had repreſented, that it would be neceſſary to preſs king Charles to declare war againſt France, before the parliament granted the ſupplies; and they propoſed that the French king ſhould inſiſt upon having an anſwer from Charles, whether he actually intended to declare war againſt him or not. They endeavoured to perſuade the French ambaſſador, that this could have no pernicious effect with regard to the intereſt of France, nor be the occaſion of Charles entering into war with her, unleſs he was already reſolved to do it. Dal. Ap. p. 136.

From this information it appears, that the popular leaders ſtill entertained ſome ſuſpicion that Lewis and Charles acted in concert. By this demand they put the ſincerity of the former, in courting a connection with them, to the teſt. They wanted not only to be ſatisfied themſelves that Lewis was ſincere; but they required ſuch evidence of this as might ſatisfy their friends, when they came to diſcover to them this myſterious union. The great object of the popular leaders, was to prevent ſupplies from being given

appear that the French agents formed very high expectations from the engagements of the leaders of the popular faction: on the contrary, they expreſſed themſelves with great diffidence and uncertainty when they mentioned this connection, and repreſented it as unexpected and myſterious: nor was it long before they changed their political ſyſtem, and entered again into a treaty with Charles, as conſtituting a baſis of concord, more natural, and more likely to endure and to anſwer their expectations, than the caſual, tranſient, and conſtrained friendſhip of her political enemies[22]. As this deſcription of the motives and ſentiments

given to an army, which, upon whatever pretext it had been raiſed, might one day be employed to change the form of government, and annihilate the exiſtence of parliament. They knew well, that Charles was extremely reluctant to enter into a war with France; and that he would embrace every pretext to delay or evade it. The withholding of the ſupplies would afford him that pretext: and for this they engaged. Thus far they acted in concert with France; but in perfect conſiſtency with their own views of the intereſt of England.

[22] By this treaty, (27th May 1678,) Charles engages to remain in perfect neutrality, in caſe propoſals for peace offered at Nimeguen, ſhould not be accepted before two months expired; and to recal the troops he had ſent into Flanders. By a ſeparate article, the French king becomes bound, to pay Charles ſix millions of livres tournois, upon the expreſs condition, that the king of England ſhould not only recal his troops from Flanders, but that thoſe troops ſhould be diſbanded, as ſoon as they ſhould arrive in his dominions; and alſo, that he ſhould prorogue his parliament for four months at leaſt, to be computed from the expiration of two months, within which time propoſals for peace were to be accepted. Dal. Ap. p. 162, 163, 164.

This laſt condition ſhews us the limitations and reſerve, with which the leaders of oppoſition had entered into engagements with France: and how little of her confidence they had acquired, ſince ſhe eſteemed the ſuſpenſion of parliament, a better ſecurity for her intereſt, than their influence and engagements. A few months after this, Charles projected another treaty with France, by which he was to aſſiſt the Swedes with a fleet, to recover the places taken by the duke of Brandenburgh. Ibid. 178.

of

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of the French agents, is founded upon the memorials and letters which refer to their correſpondence; ſo it is perfectly agreeable to the meaſures of parliament, coincident with the period of their correſpondence, and purſued at the inſtigation of the popular party. It is indeed curious to obſerve, how much the memorials and other vouchers of this correſpondence between the French agents and the popular leaders, and the engagements entered into by the latter, contribute to develope the cauſes of political events, which formerly appeared dark and inſcrutable; to reconcile meaſures ſeemingly inconſiſtent, and to reſtore unity of deſign and ſteadineſs of principle to characters, which, upon imperfect information, wear the reſemblance of verſatility and corruption.

Parliament meets, 28th January 1678.

After many adjournments, the ſixteenth ſeſſion of this parliament was continued for the diſpatch of buſineſs. The alliance with the States, the forwardneſs of naval preparations, and the marriage of his niece to the prince of Orange, furniſhed his majeſty with popular ſubjects for addreſſing the parliament, and plauſible arguments for ſoliciting ſupply. Though the commons preſented an addreſs of thanks to the king, for having married his niece to the prince of Orange, yet they omitted to mention his alliance with the States, thereby reſerving it for future cenſure, as inadequate for reſtraining the power of France, and ſecuring the proteſtant religion. They voted a ſupply of one million, for enabling his majeſty to enter into actual war againſt the French king; but, in every ſubſequent debate relative to the means of raiſing it, diſcovered the utmoſt jealouſy of the king's ſincerity, and at laſt came to the reſolution not to truſt him with money, till ſatisfaction was given in matters of religion[2 3]. They

31ſt January.

4th May.

18th and 23d Feb. Expreſs diſtruſt of the king 29th April.

[2] Grey's Debates, vol. v. p. 282.

entered

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entered into the ſtate of the nation; revived the apprehenſions of the danger of popery; and drew up reaſons to be urged to the lords, in a conference, for perſuading them to co-operate in ſeeking ſome effectual remedy againſt this growing evil. They addreſſed the king a ſecond time, complaining of the pernicious effects of his delay in not anſwering their former addreſs; and praying him to remove evil counſellors. His majeſty complained of this addreſs to the lords, and, offended with the diſreſpectful behaviour of the commons, prorogued the parliament.

7th May.

Prorogued 13th May.

Nothing could be more embarraſſing than the ſituation in which the king now found himſelf involved, by that diſtruſt and jealouſy which his former attachment to France, and his undecided conduct had excited. To whatever quarter he turned his eyes, difficulties ſtarted before him, and upon whatever reſolution he fixed, he muſt lay his account with cenſure and reproach. He had augmented his navy and army: he had ſent the duke of Monmouth with a body of troops into the Netherlands; and made every preparation, as far as the ſupplies granted would extend, to enter into war with France. Should he now diſcontinue warlike preparations, it would be admitted as an unqueſtionable evidence of his diſſimulation, and of his inflexible adherence to Lewis. While, on the other hand, the continuance of his preparations, and the augmentation of his forces, kept alive the jealouſy of a great part of the nation; and, by bringing an additional incumbrance upon his revenue, increaſed his dependence upon parliament. The preſſure of this dilemma he attempted to transfer to parliament, which, after a prorogation of ten days, met for the ſeventeenth ſeſſion. The king declared his reſolution to ſave Flanders, either by peace or war, as circumſtances ſhould direct:

Embarraſſment of the king.

Seſſion of parliament.

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direct: That, in either view, it was neceſſary to keep up a ſtrong force by ſea and land; but, as that depended upon the ſupplies, he left it to their choice, to provide for the maintaining, or the diſbanding, of the army.

Ill-humour of the commons.

The commons not only ſhifted the difficulty from themſelves, but, with great addreſs, retorted it upon the king; by reſolving, that, if he entered into a war with France, they would ſupport and aſſiſt him; but that, if he declined to do it, they would then provide for the ſpeedy diſbanding of the army[24]. As if ſincerely deſirous to return to a good underſtanding with the commons, the king imparted the ſtate of his negociations with ſuch an air of candour, as ſeemed calculated to remove all diſtruſt of his ſincerity and deſigns. He informed them, that there was a near proſpect of peace with France, but that he did not think it prudent to diſmiſs either the fleet or army, before

28th May. it was concluded. The only return which the commons made to this meſſage, was a vote, that all the forces raiſed from the twenty-ninth of September one thouſand ſix hundred and ſeventy-ſeven, ſhould be forthwith paid off and diſbanded; and that the ſum of two hundred thouſand pounds ſhould be raiſed by monthly aſſeſſments for that

6th and 20th June. purpoſe. They voted a ſupply of four hundred thouſand pounds for extraordinary charges of the navy and ordnance; for paying the princeſs of Orange's portion; and for the repayment of two hundred thouſand pounds, borrowed upon the

21ſt June. credit of additional exciſe; but they precluded all hope of farther aid, and anſwered his majeſty's urgent and repeated importunities, by a reſolution that the people ſhould be charged with no more money during that ſeſſion of parliament.

[24] Journ. Commons, 25th and 27th May.

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The meaſures now recited, urged by oppoſition, and adopted by the commons, in the three preceding ſeſſions of parliament, convey no favourable idea of their principles and temper; and were we to judge between the court and them, merely, from thoſe evidences which are comprehended within the circle of parliamentary proceedings, though we might not acquit the former of the charge of duplicity, yet a conſiderable portion of cenſure would certainly be aſſigned to the latter. A ſpirit of faction appeared, in wrangling and debating about every queſtion, however trifling, wherein diſreſpect could be ſhown to their ſovereign, or diſapprobation of his meaſures expreſſed. When we take into account preceding and concurring circumſtances, the inflexibility of the king, in the proſecution of meaſures, no leſs pernicious to the intereſts, than contrary to the inclinations, of his people: When we conſider the diſtruſt of his parliament, at the period of their fervent loyalty; the frequent and long diſcontinuance of their counſels; and above all, when we diſcover, that even, while holding out the faireſt language, and affecting an anxiety to gratify the wiſhes of his people, he was privately occupied in renewing his alliance with France, and devoting himſelf to her intereſts; every expreſſion of diſreſpect, upon the part of the commons, every ſcheme of bridling his power and thwarting his will, appear no more than merited reſentment. and a neceſſary defence againſt the enormous treachery of his conduct.

Apology for them.

Emboldened by the ſecret aſſurance of the neutrality of England, the French agents contrived refined diſtinctions, to evade the conditions which they had already admitted as the baſis of a general peace. They had promiſed to deliver up the frontier towns which had been taken in Flanders, belonging

France evades the conditions ſhe had agreed to for a peace.

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belonging to the crown of Spain; but, having ſpecified no time for the fulfilling of this, they now avowed their intentions of retaining theſe towns, till ſatisfaction ſhould be made to their ally, the king of Sweden, for the territory he had loſt during the war[25]. The indignation raiſed by this event was ſo high and general, that, in order to maintain the ſhadow of ſincerity, Charles was under the neceſſity of aſſuming a menacing tone; and of putting himſelf into an hoſtile poſture. He ſent ſir William Temple into Holland, to make a new treaty with the States. His ambaſſador accompliſhed his buſineſs with diſpatch and ſucceſs, ſuitable to the alacrity and ardour with which he entered upon it. He concluded an alliance, offenſive and defenſive, with the States; by which the king of England became engaged to make war with France, if ſhe did not deliver up the towns in queſtion before the expiration of two months[26]. It does not appear, however, to have been the ſerious intention of Charles to proceed to a war when that period ſhould arrive, as is evident, from his anxiety to avert the criſis of putting his fidelity and honour to the reſt. Within a few days of the expiration of the period allowed the French king for complying with his demand, a meſſenger was diſpatched to ſir William Temple, commanding him to uſe entreaties with the Swediſh ambaſſador, to conſent to the evacuation of the towns in Flanders; and promiſing, after the peace, to uſe effectual meaſures for recovering certain towns, which the king of Sweden had loſt in Germany[27]. The well known character of De Cros, the meſſenger diſpatched upon this buſineſs from England, who

Sir William Temple ſent to enter into an alliance with the States,

which is overturned by the wavering of Charles.

[25] Temple, vol. i. p. 365.
[26] Ibid.
[27] Ibid.

was

was an agent for Sweden, and a tool of the French ambaſſador Barillon, his officiouſneſs in publiſhing his errand wherever he paſſed, and inſinuating that this meaſure had been taken in concert with France, entirely overſet the hopes raiſed in the States by ſir William Temple's embaſſy, and conſtrained them to haſten a ſeparate peace with France, the very ſnare in which Lewis had prepared to entangle them. Though Charles had every reaſon to expect this event, and certainly wiſhed to bring it about, he counterfeited the utmoſt ſurpriſe and indignation; immediately diſpatched Mr. Hyde, to perſuade the States to refuſe the ratification of the treaty ſigned by their ambaſſador; and to aſſure them of his entering into the war with heart and vigour.

The States make peace with France.

The whole conduct of Charles with reſpect to the peace of Nimiguen, appears ſo wavering, capricious, and weak, that it is no wonder if we are at a loſs to account for the true motives from which it proceeded; or to determine how far, and at what time, he was ſincere, and really meant what he ſpoke and declared. There can be no doubt, but that the prevailing bent of Charles's affection inclined him to favour the intereſt of France, and the depravity of his political ſyſtem made him believe, that a connection with her was moſt propitious to his independence and power. This object, therefore, he ever kept in view, and purſued, through the greateſt part of his reign, with more conſtancy and diligence than he diſcovered on any other occaſion. Timidity was a ſtrong ingredient in the temper of Charles, and prevented him from performing ſome of thoſe engagements to which he had bound himſelf by his alliance with France: he was dilatory and evaſive, about declaring himſelf a Roman catholic, one of the conditions of his firſt ſecret treaty: he yielded to

Obſervations upon the conduct of Charles.

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to the impatience of the nation, by the calling of meetings of parliament, upon different occaſions, after he had engaged to ſuſpend them: he diſappointed France, by ſuddenly making peace with Holland, after the ſecond Dutch war: he ſtill more grievouſly offended her, by giving his niece in marriage to the prince of Orange. If ever Charles failed in his engagements to France, it did not ariſe from want of attachment, but from fear, and the love of eaſe, which occaſionally predominated, and defeated the impulſe of his ſtrongeſt prejudices. The experience the French king had of Charles's fluctuating conduct, excited a diſtruſt of his fidelity in fulfilling the conditions of the later treaties into which they entered. As the gratification of ambition was the ſole object of all the political meaſures of Lewis, he did not ſcruple at the means ſubſervient to this end, whatever they were; and therefore, occaſionally, tampered with the party in oppoſition in England; a ſpecies of conduct, which expreſſed contempt and ingratitude towards Charles. The inſidious conſtruction which the French agents put upon the marriage of the lady Mary, as if it had been intended as the inſtrument of arbitrary power in England, and the cloſe correſpondence they held at that time with the party in oppoſition, may well be ſuppoſed to have excited a tranſient indignation in the breaſt of Charles. But there was nothing that ſeemed more to have rankled in his mind, than a peremptory and inſolent requiſition of the French king, that the army of England ſhould not exceed eight thouſand men. In whatever light he conſidered this demand, it was mortifying to him. How ungrateful in Lewis, to call in queſtion the ſincerity of that attachment, which he had maintained ſo long, and to which he had ſacrificed ſo much? How humiliating, to inſinuate that his power was

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ſo low, that he could not be the maſter of his own army? It is not ſurpriſing, that, under theſe impreſſions, Charles expreſſed indignation, which had every appearance of ſincere enmity, and determined reſentment againſt France. Sir William Temple acknowledges, that he himſelf was deceived by appearances; and certainly expected, that his maſter was to ſtand to the conſequences of the inſtructions, with which he was charged in his ſecond embaſſy to the States[28]. In the mediation of peace, Charles was certainly ſincere. The embarraſſments of his revenue, altercations with his parliament, the failure of every expectation of raiſing his power by the aid of the French king, who had humbled him by the propoſal of reducing his army, rendered him ſincerely deſirous that a general peace ſhould take place. So far as threats could contribute to that end, he was willing to go: but, certainly he did not mean to advance farther, or really to enter into a war[29].

F In

[28] Temple's Memoirs, vol. iv p. 566.

[29] It was generally believed that the meſſage of De Cros was contrived in concert with the French ambaſſador, and that the effect of it was juſt what was intended and deſired. It contradicted the inſtructions of Sir William Temple, overthrew his authority, drove the States into deſpair, and made them ruſh, with imprudent celerity, into a ſeparate peace. Dalrymple, Ap. p. 180. Reresby, p. 66.

The indignation expreſſed by Charles upon the news of this peace, and the vehemence with which he intreated the States to evade the confirmation of it, ſeemed to furniſh an argument in refutation of what is above aſſerted, and in ſupport of the opinion that Charles was ſincere in the reſolution of entering into a war with France. He was at that time, if ever in his life, ſincere, and meant what he declared; but let it be obſerved, that an event, poſterior to the date of ſir William Temple's embaſſy and the diſpatch of De Cros, inſpired that ſincerity. The rumour of a popiſh plot had gone abroad; it gained eaſy belief, and ſpread univerſal horror. Though the king did not believe the plot, he was no leſs alarmed with the proſpect of the internal combuſtion that the popular belief of it was likely to produce. To avert this,

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In the laſt ſeſſion of this parliament, we behold oppoſition ſucceſsful and triumphant, not only in over-ruling public meaſures againſt the influence and wiſhes of the court, but in gratifying private pique and reſentment; and overturning the power of the miniſter, againſt whom they had, in vain, directed their moſt violent attacks in the preceding ſeſſions.

Lord Danby impeached.

The gratification of party reſentment, in the ruin of lord Danby was accompliſhed by baſe artifice, and furniſhes an objection to the integrity and honour, rather than any evidence of the weakneſs and credulity of thoſe who conducted it. It has been already obſerved, that lord Danby was, in heart and principle, a violent adverſary to the intereſt of France, and that he oppoſed the king's propenſity to French alliances, as far as was compatible with his remaining in office. Fully ſenſible of this, the French king, in his turn, hated that miniſter; and inſtructed his agents in England to uſe every effort, in concert with the popular party, to bring about his diſgrace. Montague, the Engliſh ambaſſador at Paris, who received the inſtructions which Danby reluctantly communicated concerning the favourable inclinations of his maſter towards France, entered, with cordiality, into the intereſts of the French court, devoted himſelf to her ſervice, and became her penſioner[30]. Finding that Lord Danby, who, probably, eſteemed him the leſs upon that account, was unwilling to ſecond his views of preferment in England, he fomented the prejudices of the French king

this, he embraced the earlieſt opportunity which the ſtate of political affairs ſuggeſted, of engaging the paſſions of the people, and of transferring to a foreign object that enthuſiaſm and phrenzy which he foreſaw that nothing but blood and deſtruction could appeaſe.

[30] Dalrymple, Ap. p. 192. Reresby, p. 77.

againſt

againſt that nobleman. He came over to England without the permiſſion of the court, and, in proſecution of his reſentment and engagements, entered into a cloſe connection with the popular party, and diſcloſed to them the ſecret of Danby's correſpondence with France. Two letters, which lord Danby had written to Montague upon the ſubject of the French alliance, were produced in the houſe of commons. The odium of the crime alleged, and its coincidence with the detection of the popiſh plot, excited the indignation of many who were untainted with the prejudices of party, ſuperſeded evidence, and prevented that fair diſtribution of guilt, which muſt have reſulted from a calm and accurate inveſtigation of facts. It was not admitted, as any extenuation of Danby's crime, that the letters carried marks of his diſapprobation; for the king's ſubſcription was annexed to them, importing that they were written by his order and authority. The evidences of the voluntary and more aggravated guilt of Montague, as if he had made atonement for it by treachery, were not allowed to be brought forward. Matter of impeachment was voted againſt the miniſter; articles were founded upon it, and carried up to the houſe of lords[31].

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The fate of lord Danby ſtands upon record as a warning to miniſters, to reſign their power and reſponſibility the moment they are called upon, to act againſt their own conviction, and to aid and abet thoſe meaſures, which their judgment and heart condemn. The true ſource of his diſgrace was not his ſervices, but his oppoſition to France; but this misfortune, however unmerited and capricious, he never could have incurred, if he had reſigned his power upon the call of principle, and

[31] Jour. Commons, 19th, 21ſt, 23d December.

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been content to tread in the humble path of privacy and retirement.

1678. Diſſolution

The laſt meaſure, purſued by the advice of lord Danby, was the diſſolution of parliament. He had every thing to dread from its violence. The diſſolution of parliament, an object long and vehemently deſired by the popular leaders, was purchaſed by them with a promiſe to ſacrifice their private reſentment, and to drop all further proſecution of the miniſter, provided he retired from office and from power[32]. The king himſelf began to tremble at the apprehenſion of thoſe diſcoveries, which a keen inveſtigation of the evidence againſt his miniſter muſt neceſſarily bring to light; and, leſt the diſſolution of parliament ſhould not be ſufficient to prevent it, he privately granted him a pardon, in bar of a future impeachment[33]. The ſecond parliament of Charles, which had now completed its eighteenth ſeſſion, was prorogued to the thirtieth of December one thouſand ſix hundred and ſeventy-eight, and diſſolved the twenty-fourth of January one thouſand ſix hundred and ſeventy-nine.

and character of the ſecond parliament of Charles.

In reviewing the hiſtory of this parliament, we are naturally ſtruck with the ſingular contraſt of ſentiments and temper, which characteriſe its commencement and concluſion. Though the lapſe of time, and the ſucceſſion of members, may, in ſome meaſure, account for alterations in their political ſentiments, yet theſe could neither have been ſo remarkable, nor productive of ſuch violent effects, without the concurrence of various events, which fill up the intermediate period. As the houſe of commons was elected during the heat and tranſport of national loyalty, their firſt ſteps indicate, not only a careleſs neglect of the moſt favourable opportunity for ſecuring the privileges

[32] Burnet, 1678.
[33] Ibid. Echard, vol. iii.

of

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of their conſtituents, but a criminal propenſity to indulge the extenſion of prerogative, and to flatter the prejudices of the ſovereign.

However much we may condemn the principle from which they acted, yet we muſt acknowledge it to have been fortunate for the nation, that the zeal of this parliament for the eſtabliſhed church, interfered with their enthuſiaſm for loyalty, and controuled the vehemence and exceſs of one predominant and unrivalled paſſion[34]. It was peculiarly

[34] The ſpirit of this parliament, and their zeal for the church of England, are beſt ſeen in the ſeveral acts which they had paſſed againſt the diſſenters. In the firſt ſeſſion of the ſecond parliament, the act was repealed which excluded the biſhops from ſitting in parliament.

By a clauſe in the corporation act the ſolemn league and covenant was abjured, and all who did not conform to the church of England, rendered incapable of being members of corporations.

By the act of uniformity, all who did not conform to the liturgy, and government of the church of England, were deprived of their livings. This act met with great oppoſition in the houſe of lords, where many ſeemed inclined to ſhew ſome indulgence to tender conſciences; but, in the houſe of commons, its progreſs was ſmooth and expeditious.

By the five mile act, no non conformiſt teacher was allowed to dwell, or come within five miles of any corporation; unleſs he took the corporation oath, with the additional clauſe, that he would not endeavour to bring about any alteration in the government of church or ſtate. The offender againſt this act was ſubjected to the penalty of forty pounds, and ſix months impriſonment.

By the conventicle act it was ordained, that every perſon, above ſixteen years of age, who ſhould be preſent at an aſſembly or conventicle, under the pretext of religious worſhip, in any other manner than according to the liturgy and practice of the church of England, where five perſons were aſſembled beſides the family, ſhould pay five ſhillings for the firſt offence, and ten for the ſecond. Every perſon taking upon him to teach in ſuch conventicles, forfeited twenty pounds for the firſt offence, and forty for the ſecond. Every perſon ſuffering ſuch conventicle in his houſe, was ſubjected to a penalty of twenty pounds. For the better execution of this act, juſtices and conſtables were empowered to break open doors upon admiſſion being refuſed. Lieutenants,

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arly fortunate, that the king puſhed his firſt inroads upon the conſtitution, in that region which they guarded with the moſt vigilant anxiety, and in which they caught the alarm with the moſt acute ſenſibility. Indifferent with regard to the uſurpations of prerogative, which affected only the civil rights of their conſtituents, they were rouſed, by the king's declaration of indulgence to the diſſenters, to aſſume the language of the conſtitution, and to exerciſe that influence in the ſcale of government, which they were about to ſacrifice at the ſhrine of monarchy. When the cauſe of offence was removed, the ardour of their firſt affection returned.

Reſtrained by the counſels of a prudent adminiſtration, the king did not avail himſelf of the obſequious temper of his parliament to promote that independence and power, which he afterwards attempted to eſtabliſh, by the aid of the moſt unpopular of all foreign connections. Inſtead of that reſpect and confidence which the commons expected, in return for their diſtinguiſhed affection and liberality to the prince, it was evident, that he admitted of their interference and advice, no farther than he found them convenient for the

tenants, officers of the militia, &c. on producing the certificate of any juſtice of peace, were warranted to diſperſe the ſaid conventicles. A clauſe was added, that it was to be conſtrued largely and beneficially for the ſuppreſſion of conventicles.

Beſides theſe evidences of the ſpirit of this parliament, various addreſſes were preſented to the king, praying him to execute the laws againſt the diſſenters. He was thanked for recalling his indulgences. Special marks of the gratitude of the commons attended every compliance of his majeſty againſt the diſſenters. The act of uniformity coincided with the gift of hearth-money; a liberal grant of four ſubſidies followed his majeſty's revocation of his firſt indulgence. The improvement of the tax of hearth-money, and the repeal of the triennial act, were the rewards of the royal conſent to the ſevere act againſt conventicles.

ſupply

ſupply of his wants, and the diſcharge of neceſſary buſineſs. Their affection and honour were wounded, when they ſuſpected that their ſovereign, ſo much cheriſhed and beloved at home, ſhould chuſe to proſtitute himſelf, by accepting the hire, and eſpouſing the intereſts, of the natural enemies of England, rather than to rely upon the bounty of a body of his ſubjects, who had nothing ſo much at heart as the advancement of his honour, and the ſafety of his government. Under theſe impreſſions they began to liſten to the voice and admonitions of their conſtituents, and for the diſappointment they ſuſtained, in not meeting with truſt and gratitude from their royal maſter, they ſought compenſation from the applauſe due to uprightneſs and fidelity in the diſcharge of their duty. But though they began to animadvert upon the profuſion of the court, and the abuſes of the revenue, and to ſuggeſt plans of future œconomy, they ſtill retained a high reſpect for the perſon of the ſovereign, and manifeſted an earneſt deſire to acquire his confidence. CHAP. II. 1678.

A full conviction of the king's incorrigible attachment to France, reiterated attacks upon the act of uniformity, his proclaimed defiance of the reſiſtance of the commons, by ſoliciting the ſupport of the lords to maintain his ſecond indulgence, and a well-founded dread of popery, not only weaned the commons from the idol of loyalty, but engendered diſtruſt and jealouſies, which no future conceſſions, on the part of the king, could extirpate.

In proportion as the members of both houſes approached nearer to the diſſenters, in their ſentiments concerning civil government, their zeal for the peculiar tenets of their church began to abate; and they invited the diſſenters to a participation in their counſels and exertions, in order

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der to prevent the common, impending danger of popery.

There were few republicans in this parliament, and they had been hitherto ſo overborn by the torrent of loyalty, that their influence was ſcarcely perceptible. Encouraged by the change of the national ſentiments, and the falling credit of the king, they raiſed their heads, and infuſed a ſpirit of intrepidity and poignancy into the meaſures of oppoſition, which gave great alarm to the court.

There never was any period, in which the principles of pure and diſintereſted patriotiſm more indiſpenſibly exacted, from all who felt their influence, a determined oppoſition to the court, than that of the ſeven laſt ſeſſions of the ſecond parliament of Charles. It was however at this period, that corruption entered, and ſpread with the moſt rapid and peſtilential violence. The king found his parliament pure; but falſe meaſures of policy required profligate arts to ſupport them. A mercenary ſpirit was roufed by ſucceſs and expectation. If ſome were allured by gain to deſert their party; others expected to be rewarded, for being true to thoſe principles which they originally maintained. A great number of perſons of the meaneſt rank, and of the moſt corrupt principles, introduced into this parliament, by the influence of the court, and for the purpoſe of ſupporting its baſeſt deſigns[35].

By theſe ſiniſter means, an oppoſition founded upon patriotiſm, and vigorous at its birth, was debaſed, enervated, and finally diſappointed of obtaining its laudable ends; a diſſolution of the al-

[35] "In the places of members of parliament who died, great "pains were taken to have ſome of the king's menial ſervants "choſen; ſo that there was a very great number of men in all "ſtations in the court, as well below ſtairs as above, who were "members of the houſe of commons." Life of Clarendon, vol. i. p. 495.

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liance with France, and ſuch ſalutary limitations of prerogative, as were neceſſary to ſecure the liberty and the religion of England. The agents of the confederates ſupported this party; and by an appeal to the ſentiments of the nation, and, perhaps, in ſome degree, by the uſe of thoſe illicit weapons employed againſt them, affiſted oppoſition to keep the field; and, if not to vanquiſh, yet to haraſs prerogative, and to prevent its eſtabliſhed triumph. CHAP II. 1678.

The plan of foreign policy, moſt friendly to the intereſt of the confederates, and moſt agreeable to the wiſhes of the people of England, had nearly prevailed againſt the influence of the court, when new objects of alarm aroſe, and gave an unexpected turn to the ſentiments and exertions of the popular leaders. A large army was raiſed by the king, under the pretext of entering into a war in ſupport of the allies. Diſtruſtful of his intentions, aſſured of his love of arbitrary power, and ſtrong bias to France, perſons of greater diſcernment, who were friends to the conſtitution, conſidered the danger to which it was expoſed from a ſtanding army, as more near and formidable than that which aroſe from the ſucceſsful ambition of Lewis in diſtant countries. Though France was conſcious of having a ſtrong hold upon the affections of Charles, yet ſhe had formerly experienced that his timidity had ſometimes obſtructed their exertions. She was diſturbed by the intimate connection which Charles had formed with the prince of Orange, at the head of the States; and if ſhe had been ſecure of his affections, ſhe had reaſon to fear that he would not be able to withſtand the current of national opinion and antipathy; or to reſtrain the operations of an army, which had been raiſed for the avowed purpoſe of reducing her conqueſts, and

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and controuling her ambition. Thus, by a ſtrange contingency in events, France and the Engliſh patriots were united by the ſame fears and intereſts. The ſagacity of the French agents did not fail to diſcern this, and their expertneſs in intrigue enabled them to improve it to the beſt advantage. By working upon the jealouſies of the patriotic party, by palliating thoſe circumſtances which were moſt odious in the conduct of France; and by that corrupt expedient, which they had found ſo effectual with the court, they enticed many of the popular party into their confidence, and to act in concert with them, for the mutual intereſts of both kingdoms. By withholding the ſupplies for the maintenance of an army, raiſed in compliance with their own urgent entreaties, the members of oppoſition concurred with the views of France, and appeared to act an inconſiſtent and contentious part; but, in reality, they did not loſe ſight of their grand object, the independence and liberty of their country. This object they avowedly and directly purſued, by labouring to detach their king from his connection with France; but, having obtained this, they heſitated about making farther advances: They were afraid to truſt Charles with a ſtanding army, and thought that the chance of reducing the power of France, was not to be tried at the riſk of enſlaving their country.

It cannot be denied, that the merit of the country party was tarniſhed by unworthy motives, by which they were occaſionally actuated, and the unwarrantable means they employed to attain the ends they had in view. They indulged private reſentments, even to the obſtruction of the important buſineſs of the nation. The proſecution of perſons ſuſpected of being concerned in the Roman catholic plot, was a meaſure too violent

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and ſanguinary to be juſtified by any end it could promote. But, after the conſideration of every circumſtance, it is fair to acknowledge, that the principle of oppoſition in the latter ſeſſions of this parliament was found and commendable: the general tenor of their meaſures was conſtitutional; the ſide of oppoſition was the ſide of patriotiſm and virtue, and to them p ſterity ſtands indebted for arreſting the career of arbitrary meaſures, and rouſing that ſpirit of jealouſy, which, after many ſtruggles and many defeats, ſaved the liberties of England.

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CHAP. III.

Charles wiſhes to renew his Alliance with France.—Takes Meaſures to regain the Confidence of the Nation.—Elections.—Miſunderſtanding between the King and the Commons about the Choice of a Speaker.—Popiſh Plot.—Meaſures taken in conſequence of the Plot—by the Commons—by the Lords.—Effects of them.—Obſervations on the Evidence of the Popiſh Plot.—Proſecution of Lord Danby.—Diſputes between the two Houſes on this ſubject.—The King alarmed by the Proceedings of the Commons.—A new Council.—The Commons proceed in the Impeachment of the Earl of Danby.—Bill of Excluſion.—Inquiries concerning the Management of the Navy and the Revenue.—Bills to retrench the Influence of the Court.—Parliament diſſolved.—Charles attempts to enter into a new Treaty with the French King.—Circumſtances unfavourable to the Court in the courſe of the Elections.—The King takes Meaſures to gain Popularity.—The Duke of York indicted as a Popiſh Recuſant.—Petitions for the meeting of Parliament. Addreſſes of Abhorrence.—Fourth Parliament.—The Commons cenſure thoſe Members who had oppoſed Petitions.—Inquiry into the Miſconduct of Judges.—The Bill of Excluſion paſſes in the Houſe of Commons,—rejected by the Lords.—Bills, for aſſociating his Majeſty's Proteſtant Subjects,—for repealing the Penal Laws againſt Proteſtant Diſſenters.—The Commons reſolve to withhold Supplies.—Angry Votes againſt the Court.—The King ſummons a Parliament,—to meet at Oxford.—Petition againſt holding the Parliament at Oxford.—Parliament meets.—Bill of Excluſion.—Diſagreement between the two Houſes upon the Caſe of Fitzharris.—Parliament diſſolved.

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1678-9. Charles wiſhes to renew his alliance with France.

AFTER the diſſolution of his ſecond parliament, Charles became ſolicitous to renew his alliance with France; and would have ſubmitted to the moſt ſhameful conditions, to extricate himſelf from the embarraſſments of his revenue, and the tumults of faction, which were likely to revive in all

all their vigour upon the meeting of parliament[1]. Barillon amuſed the expectations, and protracted the ſuſpenſe of Charles, by liſtening to his ſolicitations, and deſcending to particular articles of a treaty; while he ſecretly repreſented to his maſter, that the intereſt of the popular leaders, augmented by the terror of the nation for popery, would be of more conſequence to France, than the reſtrained and clandeſtine friendſhip of Charles[2].

Takes meaſures to regain the confidence of the nation.

Doubtful of the friendſhip, and perhaps ſuſpicious of the treachery of France, Charles found himſelf under the neceſſity of forming his meaſures, with a view to conciliate the ſupport of the popular leaders in parliament. A change of miniſtry took place[3]. The king preſſed his brother to return to the external profeſſion of the proteſtant religion: he entreated him to diſcontinue his attendance upon council, which excited a conſtant jealouſy of his interference in the affairs of government. Unable to prevail in either of theſe points, he inſiſted upon his leaving the kingdom before the meeting of parliament[4]. The laws were carried into execution againſt Roman catholics with greater ſeverity than what had been exerciſed in any former period of this reign[5]. Every engine of court influence was employed to model the elec-

[1] Dalrymple's Appendix, p. 207, 8, 9, &c.

[2] Ibid. p 211.

[3] Sir Joſeph Williamſon, who had been ſent to the Tower by the commons in the laſt parliament, for iſſuing commiſſions to perſons diſqualified by their adherence to the popiſh religion, was diſmiſſed from his office of ſecretary of ſtate, and the earl of Sunderland appointed to ſucceed him. The earl of Danby, who had fallen under the diſpleaſure of parliament, was alſo diſmiſſed from his office of lord treaſurer. The earl of Eſſex, Laurence Hyde, ſir John Earnle, ſir Edward Deering, and Sydney Godolphin, were made commiſſioners of the treaſury. Echard, vol. iii. p.498-9.

[4] Life of James, 1679. Ralph, vol. i.

[5] Echard, vol. iii.

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tion of members to ſerve in the new parliament, agreeably to the wiſhes of the king[6].

1678-9. Elections.

If the court was induſtrious upon one ſide, its antagoniſts upon the other were not leſs active, and proved more ſucceſsful in the courſe of the new elections. The proteſtant diſſenters, who had been almoſt entirely excluded from the houſe of commons in the laſt parliament, now exerted themſelves, with the aid of many favourable circumſtances, and endeavoured to recover their proportion of public influence. The adherence of the moſt diſtinguiſhed patrons of the eſtabliſhed religion to the intereſt of the duke of York, afforded the diſſenters a ſpecious pretext for repreſenting them as deficient in that abhorrence of popery, which, in the preſent criſis, was eſſential to protect their conſtituents from its bloody machinations, lately brought to light by the diſcovery of a plot[7]. Candidates came under engagements to gratify the ſanguinary wiſhes of the people, by a diligent inveſtigation of the plot, and the zealous proſecution of its authors[8].

The king opened his third parliament on the 6th of March, with a ſpeech full of conceſſions and flattering promiſes; and expreſſive of his ardent deſire of being united to his parliament[9].

Miſunderſtanding between the king and the commons about the choice of a ſpeaker.

The firſt proceedings in the houſe of commons exhibited a ſpecimen of their temper; and portended that diſcord between them and the court, which never ſubſided during the period of their exiſtence. Sir Edward Seymour was unanimouſly

[6] Rereſby.

[7] Letters of the duke of York to the prince of Orange; Dalrymple, Ap. p. 218.

[8] Hiſtorians of the times.

[9] Journ. Lords, 6th March.

called

called upon to take the chair[10]. The active part he had taken in the profecution of lord Danby, recommended him to the commons, and determined the king to thwart their choice[11]. Several days were ſpent in angry repreſentations on the part of the commons, and a perſevering refuſal on the part of the king, to approve of the election of ſir Edward Seymour. At laſt, the parliament was prorogued from the 13th to the 15th of March[12]. The commons, impatient to proceed upon more important buſineſs, dropt the diſpute, by electing for their ſpeaker William Gregory, ſerjeant at law; of whom the king approved[13].

Temper of the commons.

It ſoon appeared that the new parliament had imbibed the ſpirit of their predeceſſors, and that they were reſolved to tread in their ſteps. A committee was appointed by the commons to inſpect the journals of the laſt ſeſſion of the preceding parliament, in order to agitate anew thoſe meaſures which were rendered abortive by its diſſolution[14]. They delayed paying any attention to his majeſty's application for ſupply: they reſumed, with unabated reſentment, the impeachment of lord Danby. The rumour of a pardon granted him by the king, in bar of an impeachment, whetted their acrimony; and challenged them to enter the liſts againſt the mighty power of prerogative[15]. But above all, the late diſcovery of a popiſh plot furniſhed inexhauſtible materials for inflaming the jealouſies of the people.

Popiſh plot.

While the nation trembled for the approach of popery, a plot was diſcovered, which converted

[10] Grey's Debates, vol. vi. p. 402.
[11] Ibid.
[12] Ibid, p. 439.
[13] Ibid. vol vii. p. 2.
[14] Journ. Commons, 19th March.
[15] Ibid. 20th, 22d, 24th March, and 16th April. Ralph, vol. i. p. 437.

ſuſpicion

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ſuſpicion into conviction, and ſeemed to require the moſt ſpeedy and violent expedients for ſecuring the exiſtence of the proteſtant religion, and the ſafety of its profeſſors [16].

Every paſſion in exceſs invades the province of the underſtanding, and has an immediate tendency to miſlead opinion, and pervert judgment. But there occurs not, in the annals of any nation, a more ſtriking example of the influence of terror, in ſupplying the moſt palpable deficiency of evidence, and overpowering the dictates of humanity, than the precipitancy and the violence, with which all parties in England entered into the meaſures we are now going to recite. An account of a plot to aſſaſſinate the king, and to introduce the Roman catholic religion, though bearing in the face of it circumſtances the moſt improbable and contradictory, and atteſted by men of the moſt profligate character, obtained univerſal credit, and roufed a ſpirit of fury and implacable vengeance againſt all who were ſuſpected of favouring that religion.

[16] The diſcovery of a popiſh plot was communicated to the king, during the receſs, before the laſt ſeſſion of the preceding parliament. By the advice of the earl of Danby, the examination of witneſſes was introduced into parliament. Journ. Com. 23d October 1678.

From the moment of information, both houſes of parliament were occupied in contriving meaſures to diſcover the circumſtances of the plot, and the perſons concerned in it; and in forming reſolutions expreſſive of their alarm and indignation againſt the Roman catholics. The effect of inſpecting the Journals in this parliament, was a renewal of theſe meaſures and reſolutions. Agreeably to the plan of brevity propoſed in this work, I have given a continued narrative of the moſt important meaſures adopted by both houſes relative to the plot; though ſome of them were purſued by the laſt parliament, and ſome of them renewed by this, at ſucceſſive periods. In this comprehenſive recital the leſs impropriety will appear, when it is obſerved, that the reſolutions and the meaſures of the laſt parliament and of this, not only illuſtrate the ſame ſpirit, but that the latter, with little variation, are a tranſcript of the former.

Both

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Both houſes of parliament concurred in a vote, "That there is, and has been for ſeveral years "paſt, a treaſonable plot and conſpiracy contrived "and carried on for murdering the king, and for "ſubverting the proteſtant religion and the eſtab-"liſhed government[17]." They conſecrated their opinion with the ſanction of religious ſolemnity, and addreſſed his majeſty to appoint a day of humiliation and prayer, to obtain reconciliation with God, and to intreat him to defeat the deſigns of their enemies[18]. Meaſures taken in conſequence of the plot;

The commons entered with diligence into the examination of witneſſes, to confirm the idea entertained of the plot: they offered a pardon and reward to ſuch of the criminals as ſhould make new diſcoveries, and impeach their accomplices: they addreſſed the king to give a reward of twenty pounds for the diſcovery of every catholic prieſt, and to pay the ſum of five hundred pounds, agreeably to his proclamation, to Bedloe, whoſe teſtimony, notwithſtanding the infamy of his character[19], had been admitted as ſatisfactory evidence of the murder of Godfrey, a material fact, connected with the conſpiracy[20]. They committed colonel Edward Sackville, one of their members, to the Tower; and afterwards expelled him the houſe, for having diſparaged the evidence of the plot; and to perpetuate his puniſhment, they ad- by the commons;

[17] Journ. Commons, 24th March.—Journ. Lords, 24th March.

[18] Journ. Commons, 20th March.

[19] North's Examen. Reresby

[20] Sir Edmundbury Godfrey had received and atteſted Oates's narratives, and ſuddenly diſappeared. His body was found, after three days ſearch, lying in a ditch near the city.—The coroner and his jury gave it as their verdict, that he was murdered by perſons unknown; and it was univerſally taken for granted, that it was done by the papiſts, in order to ſuppreſs the evidence of the plot.

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dreſſed the king, to render him incapable of holding any office under government[21]. They drew up articles of impeachment againſt earl Powis, viſcount Stafford, lord Arundel of Wardour, lord Belaſis, five popiſh lords who had been committed upon Oates's information. They addreſſed the king, to order all papiſts to remove ten miles from London; and, becauſe he ſeemed dilatory and lenient in the puniſhment of the unhappy perſons already condemned for being acceſſary to the plot, they urged him, by repeated addreſſes, to order their execution[22]. They brought in a bill for the baniſhment of all papiſts, and even thoſe who were reputed to be ſuch, twenty miles from London and Weſtminſter; and for confining thoſe who lived at that diſtance from London, within five miles of their habitations[23]. To impreſs the nation more deeply with the apprehenſion of danger, they reſolved, that if the king ſhould come to a violent death, they would avenge it to the utmoſt upon papiſts[24]. They ſolicited the lords to concur with them in an addreſs to the king, to give orders to the lieutenants of the ſeveral counties, to have the train bands in readineſs, and, that the militia of London, Weſtminſter, the Tower Hamlets, and the counties of Middleſex and Surrey may be immediately raiſed, and put into a poſture of defence[25].

by the Lords.

The lords ſeconded theſe meaſures, and in ſome inſtances they exceeded the zeal of the commons. Not content with adopting various meaſures to detect and convict popiſh recuſants, and ſuch a

[21] Journ. Commons, paſſim in October, November, and December, 1678; March, April, and May, 1679.
[22] Journ. Commons, 25th March.
[23] Journ. Commons, 25th March.
[24] Ibid. 11th May.
[25] Ibid. 9th and 10th May.

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had been acceſſary to the plot, they ſtretched the arm of power with arbitrary violence, againſt thoſe who did not implicitly approve their ſentiments; and puniſhed men for their opinions over which they had no command[26]. A committee appointed to inquire into the danger impending over the nation, was alſo empowered to call before them, perſons who had expreſſed themſelves doubtfully concerning the plot, or who had declared, that thoſe, who ſuffered for it, were innocent and unjuſtly condemned[27]. To render this reſolution more threatening and awful, they fixed upon no names, but left it in the form of a general, inquiſitorial, warrant, to be applied as extenſively as the committee ſhould deem proper[28]. They ſtretched their violence beyond the confines of England, and addreſſed the king, that the laws againſt the Roman catholics in Ireland might be carried into ſtrict execution[29]. CHAP. III. 1679.

The direful effects of theſe meaſures it is painful to recollect. Allured by the proſpect of conſequence and of reward, informers crowded from every quarter: judges and juries, infected with the predominant credulity and panic of the nation, admitted guilt, and ſhed the blood of their fellow-citizens, upon evidence, which, in a more diſpaſſionate period, would not have been deemed ſufficient to juſtify any ſentence affecting property or character, in the moſt trifling degree. The great body of the people, agitated by terror, and duped by an implicit confidence in their factious leaders, delighted for a ſeaſon in ſanguinary and oppreſſive deeds. Real dangers may excite imaginary and Effects of them.

[26] Journ. Lords, 11th March.
[27] Journ. Lords, 11th March.
[28] Ibid. 25th March and 23d April.
[29] Ibid. 1ſt and 17th April.

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exaggerated fears; imaginary and exaggerated fears may be pleaded as an apology for raſh and extreme ſeverity, but the man of ſenſibility will recoil with horror from ſcenes which exhibit the moſt deſperate outrage of bigotry, and the moſt diſtorted features of human nature. The patriot who feels for the honour of his country, will wiſh that tranſactions, which imprint an indelible ſtain upon the wiſdom and integrity of his anceſtors, were eraſed from the page of hiſtory[30].

Theſe

[30] The exiſtence of a popiſh plot certainly appears queſtionable, when the following conſiderations are attended to:

1ſt. The infamous character of the witneſſes, the inconſiſtency and contradiction of the facts alledged, and the notorious perjury detected in the courſe of the evidence. See North's Examen, p. 176-9.—Somers' Col. vol. vii. p. 361. 405.—Life of James, 1677, 81, 83.—Salmon's Modern Hiſt. vol. xxiii.—Life of the Duke of Ormond, vol ii. p. 513.—Burnet, 1698.

2dly, The plot often changed its ſhape. The account given of it in the parliament was different from that which had been delivered to the privy council, and the evidence, adduced in the trial of individuals before the judges, differed from both. Somers' Col. vol. i. p. 44. Some of the votes of parliament, particularly that which related to the innocence of the queen, involved the perjury of Oates and Bedloe. Journ. Commons, paſſim.

3dly, The vehement and invariable proteſtations of innocence made by all who ſuffered on account of the plot, is a circumſtance entitled to great weight, when connected with the above obſervations. Nor will the univerſal credit given to the rumour of the plot, and the zeal with which it was proſecuted appear unaccountable, when the peculiar circumſtances of the times are attentively conſidered.

1ſt, The deep horror of the people of England at popery, awakened and heightened by the duke of York's converſion to that religion, prepared them to liſten, with devouring credulity, to every tale of danger ariſing from that ſource. The diſcovery of the correſpondence of Charles with France, and his attachment to her intereſt, always combined with the introduction of popery and the ruin of England, raiſed the credit of the witneſſes to a pitch to which it could not have attained at any other period; eſtabliſhed an imaginary connection of facts, which ſupplied the want of direct proof, and ſet aſide many ſtrong and

ſuſpicious

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These unhappy effects of the dread of popery, however lamentable, were not matter of deep con-

ſuſpicious circumſtances. Thus the paragraphs in Coleman's Letters, which referred to the ſecret league between Charles and the court of France, appeared to perſons who were ignorant of that league, to carry undoubted evidence of the exiſtence of the plot. See Sec. Hiſt. of Europe, vol i. p. 231

2dly, The reſentment and the diligence of the leaders of faction, and particularly the uncommon talents and the indefatigable induſtry of Shaftſbury, were employed, if not in the firſt inſtance, to fabricate evidence in ſupport of the exiſtence of the plot; yet, undoubtedly, to improve every rumour and external event to the greateſt advantage, by cheriſhing the credulity and exciting the terror of the nation. See Shaftſbury's Trial, State Trials, vol. iii. Copies of Oates's Narrative were circulated through the nation: Every new diſcovery was diſpatched with incredible expedition, and with circumſtances of aggravated horror, to the remoteſt parts of the country. The calamities of nature and of accident, as they beſt ſuited their purpoſe, were interpreted, either as providential warnings of national danger, or as the effects of the malignancy of the Roman catholics, connected with the plan of extirpating the proteſtants. Journ. Commons, 26th April, 1679.

3dly, The puſillanimity of the king, and the diſhoneſt policy, of his miniſters, co-operated with the ſchemes and the labours of thoſe whoſe intereſt it was to eſtabliſh the belief of the plot. Life of James, 1680.

4thly, The invitations, pardons, and rewards, held forth to informers and witneſſes, produced ſuch an accumulation of evidence, that it was no wonder if ſomething was culled from it, that was ſpecious and impoſing.

5th, The violence and partiality of the judges, particularly of chief juſtice Scroggs, not only diſpenſed with the moſt eſſential qualities of evidence, but trampled upon the principles of juſtice, and thus gave a ſanction to that latitude which the prejudice of every man led him to adopt, in the interpretation of proofs adduced in ſupport of the reality of the plot.

6th The diſcovery of Coleman's correſpondence, and the expreſſions in ſome of his letters, though no proof of the identical plot diſcovered by Oates, nor involving the privity of others, yet manifeſted ſo much of that ſpirit of reſtleſs intrigue and violent bigotry which characteriſe the Roman catholic religion, that they may be eaſily ſuppoſed to have produced a mighty influence in raiſing an alarm, and fully convincing thoſe who were alarmed. L'Eſtrange. North's Examen, p. 123 and 169.—Somers' Col. vii. p. 262.—Welwood, p. 123.

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cern to the ſovereign[31]. Whatever were the private ſentiments of Charles, he had hitherto given countenance to zeal, which veiled itſelf under the pretext of loyalty[32]. Some of the miniſters, upon whom he relied with implicit confidence, either from conviction, or with the crafty deſign of diverting to another object the ſtorm which was ready to burſt upon their own heads, ſtood foremoſt in the proſecution of meaſures, for the diſcovery and the puniſhment of the abettors of the popiſh conſpiracy[33].

Proſecution of lord Danby.

Other coincident meaſures, erected upon the ſame baſis, and flowing from a diſaffection to the court, were of a tendency more alarming to the king and his miniſters. The proſecution of lord Danby was conducted by the commons with ſuch virulent and tyrannical oppreſſion, as rendered it

[31] Burnet, &c.

[32] Echard gives us this remarkable anecdote, which he heard from the perſon to whom the king related it. About the beginning of the rumour of the plot, an entertainment was given, by twenty eminent citizens, to Tongue and Oates, and to a noted divine, who had been often favoured with the king's private converſation. The ſuperior deference paid to Oates offended Dr. Tongue, who addreſſed his aſſociate in theſe words: "You "know nothing at all of the plot, but what you learned from "me." One of the company communicated this information to the king, who ſent for the above divine, and deſired to hear the particulars from him. He alleged the badneſs of his memory, and deſired the king to excuſe him. Though the king urged, he ſtill declined to ſatisfy him. Upon which, the king incenſed ſpoke to this effect: "I find there is like to be a great deal of "bloodſhed about this plot, and the times are ſo troubleſome "and dangerous to me, that I durſt not venture to pardon any "that is condemned; their blood be upon your head, and not "upon mine." Echard, vol. iii. p. 472-3.

Contraſted with the king's private ſentiments, compare his ſpeech to both houſes, November 1678.

The king refuſed to pardon Plunket, though he believed him to be innocent. Echard, vol. iii. p. 631.

[33] Life of James, 168-. Extract 12th.

evident,

evident, that their object was not merely to disgrace a minister whom they hated, but to stain the honour of the prince, and to check the future exertions of prerogative[34]. Intimidated by the prospect of these consequences, the king would willingly have entered into a compromise with the commons, by yielding, in a certain degree, to the disgrace of his minister, notwithstanding his having already granted him a pardon[35]. For this purpose a bill was carried through in the house of lords, for rendering lord Danby incapable of coming into his majesty's presence, of holding any office, or sitting in the house of lords[36]. Far from being satisfied with this, the commons forwarded a bill of attainder, which was to be put in force, unless he surrendered himself for trial against a certain fixed day[37]. The lords sent back this bill; repeated conferences between the two houses were held upon the subject of it. The commissioners from the lords earnestly expostulated with those from the commons to mitigate their severity, and to obtain their consent to the banishment of lord Danby. The commons, with an inflexible obstinacy, contended for the bill of attainder The lords, at last, reluctantly consented, that it should pass, under the condition of prolonging the period allowed for lord Danby's surrendering himself for trial[38].

The king alarmed by the proceedings of the commons.

By this victory of the commons, the principal object the king expected to obtain, by the dissolution of his parliament, was frustrated. He must immediately submit to all the disagreeable consequences of a rigid scrutiny into Danby's correspon-

[34] Journ. Commons, 20th, 21st March.
[35] Burnet, vol. ii. p. 788.
[36] Journ. Lords, 22d March.
[37] Journ. Com. 25th & 26th March, 1st April.
[38] Ibid. 4th, 5th, 7th, 8th, 9th, 10th, 12th, 14th April.

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dence with France. A trial was to be carried on, in deſpite of a royal pardon; an attempt highly mortifying to the king, and which, if ſucceſsful, would furniſh a precedent for the farther abridgment of his power[39]. A ſtorm no leſs formidable was gathering in another quarter. The commons had, early in this ſeſſion, introduced a bill to ſecure the kingdom from popery[40]. It was impoſſible to conjecture, what extravagant projects the ingenuity of faction might not erect upon this broad foundation. It was certainly foreſeen, that the excluſion of the duke of York from the ſucceſſion to the throne, was directly aimed at; a meaſure which the king formed the reſolution of reſiſting at any hazard[41]. He found that he had not gained any advantage by changing the repreſentatives of the people, neither could he hope to derive ſincere and effectual exertions in ſupport of his prerogative from his new miniſters, ſome of whom he ſuſpected of being acceſſary to the councils of the popular leaders[42]. He was aware, on the other hand, of that increaſe of national diſaffection, and the embarraſſment of his finances, which muſt be the conſequences of a premature diſſolution of parliament. In this criſis of perplexity and diſtreſs, he fondly liſtened to the project of a new council, ſuggeſted by ſir William Temple, as the moſt likely expedient for maintaining his own authority and the peace of the nation[43]. The privy council, which conſiſted of ſixty members, was but little conſulted upon the affairs of government. The king had been wont to ſelect from his larger council a ſmall num-

A new council.

39 North's Examen.
40 Journ. Commons, 22d March.
41 Echard.
42 Dalrymple, Ap.
43 Temple. Journ. Lords and Commons, 21ſt April.

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ber, under the name of the committee for foreign affairs, to whoſe diſcuſſion and advice the moſt important meaſures, relative to domeſtic and foreign politics, were referred[44]. It was now reſolved, that the privy council ſhould be reduced to the number of thirty; the one half of this number was to be filled by perſons in miniſterial offices, who might therefore be expected to pay a decent reſpect to prerogative; and as the other fifteen were perſons of the greateſt property in the nation, it was believed, that, through their influence, the violence of oppoſition would be reſtrained, and the public buſineſs conducted with harmony and ſucceſs. By transferring to the new council the ſupreme direction of affairs, the king hoped to be exempted from reſponſibility, and to eſcape that cenſure, which had hitherto purſued him through every ſucceſſive change of miniſtry and meaſures[45]. Though the notification of this meaſure was received with teſtimonies of approbation by the people, and their more unprejudiced repreſentatives in parliament, yet, to the leaders of every party it appeared ſomewhat exceptionable. The zealous royaliſts were offended at a renunciation of power which depreſſed prerogative, and excluded them from any ſhare of public influence[46]. The members in oppoſition imputed the appointment of lord Shaftſbury, to be preſident of the council, to the timidity of the king, rather than to any change in his ſentiments; and regarded it as a happy preſage of their ſucceſs in extorting farther conceſſions from the crown, and advancing their own influence. The factious members of the council availed themſelves of their new dignity to raiſe their credit in parliament[47]. The earl of Shaftſbury boaſted

[44] Ralph, vol i. p. 438.
[45] Ibid.
[46] Life of James, 1679. North's Examen.
[47] Ibid. North's Examen.

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of his presidency, as an evidence of his having recovered the favour of the king [48].

So far from working any change upon the temper of the commons, the institution of the new council does not appear to have produced the smallest abatement of their ardour, or any interruption to the violent measures in which they were engaged.

The commons proceed in the impeachment of the earl of Danby.

They proceeded, the day after it had taken place, to renew their instructions to the committee for the impeachment of the earl of Danby, who had surrendered himself at the bar of the house of lords [49]. Indignant at any barrier being opposed to their resentment, they appointed a committtee to inquire into the proceedings relative to lord Danby's pardon, and the manner in which it had

[48] It may seem somewhat extraordinary, that lord Shaftsbury, so treacherous to Charles, should be taken into the new council. He was, however, proposed by the king himself, who assigned this reason for it, that, if left out, he would do more mischief than any man.

This trimming of the king operated greatly to the prejudice of his affairs, as it made the people believe, that Shaftsbury was still in the king's confidence, and induced them to give credit to all his political fictions. Despairing of being ever reconciled to the duke of York, he devoted himself entirely to the interest of the duke of Monmouth. He used to declare among his friends, that the duke of Monmouth was so beloved by the king, that he only wished to have an opportunity of acknowledging his legitimacy, and that the violent prosecution of those concerned in the popish plot, the exclusion of the duke of York, and the obstinacy of parliament, would afford him that opportunity. Echard, vol. iii. Life of James, 1679. "Such mischief," says sir William Temple, "could never have grown, if Shaftsbury had not "worked himself into the credit of being secretly well with the "king, and still better with Monmouth, whose success would "repay all their services." Temple, vol. i. p. 418. This fact conveys an instructive lesson to princes, that nothing can be more dangerous than externally to caress, and to invest with authority, those men whom they secretly detest and fear.

[49] Journ. Commons, 22d April.

been

been obtained[50]. They reſolved that the pardon was illegal, and conſequently void, and went in a body to the houſe of lords to demand judgment againſt him, as ſtanding accuſed of high treaſon[51]. The legality of the pardon, and the objections of the commons, the lords reſolved to examine with deliberation and candour, and addreſſed the king to appoint a high ſteward to preſide at the trial of lord Danby and the popiſh lords; the latter of which they intended to bring to a ſpeedy deciſion[52]. Theſe reſolutions of the lords were conſidered by the commons as intended to interrupt the progreſs of lord Danby's trial, and to ſcreen prerogative from the ſhock it muſt have ſuſtained by the diſregarding of the king's pardon. Another reſolution of the lords, which appeared more materially to affect the iſſue of the trial, confirmed the ſuſpicions of the commons, and furniſhed a new topic of altercation between the two houſes. After deliberating upon the circumſtances of the trial, the lords decided, that the biſhops were entitled to remain in the houſe, in capital caſes, till judgment of death were pronounced[53]. As the invariable attachment of the biſhops to the meaſures of the court was notorious, this reſolution of the lords was conſidered as deciſive with reſpect to the preliminary queſtion of the validity of lord Danby's pardon. The commons earneſtly ſtruggled, in repeated conferences with the lords, to

[50] Journ. Commons, 25th April.
[51] Ibid. 5th May.
[52] Journ. Lords, 5th and 6th May.
[53] Ibid. 13th May.

By the conſtitutions of Clarendon, the clergy are required to aſſiſt at trials only till ſentence of death, or loſs of members, be given againſt the criminal. Hume, vol. i. The ſame reſpect to the delicacy of the eccleſiaſtical character ſeems to have taken place in other kingdoms of Europe. Retz's Memoirs.

prevail

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prevail upon them to retract their opinion with regard to the interference of the biſhops, and alſo to prefer the trial of lord Danby to that of the other lords under impeachment. Unable to obtain the conſent of the lords, they paſſed reſolutions in oppoſition to their deciſions. They not only aſſerted, that the pardon was illegal, but declared it criminal in any of their members to maintain its validity. They reſolved, that the biſhops had no right to vote in caſes of life and death[54].

Bill of excluſion.

Irritated by repeated diſappointments of bringing their attacks upon the prerogative to any effectual iſſue, and emboldened by the increaſing diſcontent of the nation, the commons now reſolved, with more daring aſſault, to puſh their reſentment within the walls of the palace, and to offer violence to the affections of the king. Having found that the adherence of the duke of York to the Roman catholic religion was a principal cauſe of the dangerous conſpiracy againſt the life of the king and the conſtitution, they brought in a bill to exclude him from the ſucceſſion to the crown after the demiſe of his majeſty[55]. The detail of arguments upon both ſides of this queſtion, by far the moſt delicate and important that was agitated in the courſe of this reign, I defer till that period, when they may be ſaid to have attained to their higheſt improvement and moſt extenſive influence. We need not wonder if the firſt propoſal of the excluſion filled the king with anxiety and alarm, and excited the moſt determined purpoſe of oppoſition to it. Hereditary, indefeaſible right was the foundation of non-reſiſtance and of abſolute power. The excluſion of the next lineal heir of the crown cut the ſtock

[54] Journ. Commons, 15th, 17th, 26th May. Grey's Debates, vol. vii.

[55] Journ. Commons, 27th April, 8th and 11th May.

upon

upon which all thoſe luxuriant branches of prerogative were grafted, which his fondeſt prejudices led him to venerate and to cheriſh[56]. It were uncandid, at the ſame time, not to admit, that the influence of natural affection contributed to render the king averſe to a meaſure contrived to bereave his brother of his birth-right, and, in caſe of his ſurviving, to conſign him to exile and diſgrace. CHAP. III. 1679.

While the commons were vehemently engaged in forwarding the bill of excluſion, they contrived with dexterous policy, to introduce ſuch inquiries as furniſhed new arguments for that meaſure; and which at the ſame time obliquely reflected upon the character of the duke of York. They appointed a committee to inquire into the miſcarriages of the navy, the management of which had principally devolved upon him, and in which he had hitherto been ſuppoſed to poſſeſs diſtinguiſhed merit[57]. A ſtrict examination into the expenditure and the abuſes of the revenue was carried on, with a view of expoſing the corrupt practices of the king and his miniſters during the late parliament; and to render infamous thoſe members who had yielded to their influence. Charles Ber- Inquiries concerning the miſmanagement of the navy and the revenue.

[56] Rereſby, p. 121. Life of James, 1680. Extract 12th.

[57] Journ. Commons, 22d May 1679. Sir Anthony Dean and Mr. Samuel Pepys, ſecretaries of the admiralty, were charged with holding a correſpondence with France. The former, it was alleged, had carried into France an exact liſt of the navy, a deſcription of all the forts, and an account of their weakneſs and ſtrength. This he was ſuppoſed to have done, with the privity of the duke of York, and for the purpoſe of carrying on the plot. Though the duke of York was much in the intereſt of France, yet there is no evidence of his having been guilty of ſuch treachery; but the very inſtitution of the inquiry, while the prejudices of the nation ran high againſt him, made him perhaps appear more criminal in their eſtimation, than if it had been brought to an iſſue. Ralph, p. 450.

trey,

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trey, who had received a commiſſion for diſtributing the ſum of two hundred and fifty thouſand, four hundred and ſixty-ſeven pounds, for the ſecret ſervice of government, was, by the order of the houſe, committed to the cuſtody of the ſerjeant at arms, becauſe he refuſed to ſtate to them the particular articles in which that ſum had been expended [58]. Sir Stephen Fox, who had been employed by the court in the ſame office, was ordered to produce every account of money paid to members, or to other perſons, for the purpoſe of keeping public tables, and performing any ſecret ſervice for the court [59]. From ſir Stephen Fox's evidence it appeared, that the ſum of three thouſand four hundred pounds had been paid, annually, in penſions to members of parliament; a ſum which fell ſhort of the expectation of the authors of this inveſtigation. There is reaſon however to ſuſpect, that this ſum was but an inconſiderable proportion of the money diſtributed for the purpoſe of corrupting members. For it is remarkable, that ſome names were added, upon the knowledge of private members, to the liſt of penſioners delivered by ſir Stephen Fox, who ſpoke merely from memory, and the books of account never were produced, nor could afterwards be found [60]. It muſt alſo be obſerved, that this inquiry was confined to the abuſe of the revenue; and it may be conjectured, that a great part of the money which the king received from France, was applied to the ſame profligate purpoſe of domeſtic corruption.

[58] Journ. Commons, 10th May. Grey's Debates, vol. vii. p. 232.

[59] Ibid. 23d May. Grey's Debates, vol. vii. p. 315.

[60] Ralph, vol. i. p. 449.

To

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Bills to retrench the influence of the court.

To retrench the parliamentary influence of the court, a bill was twice read in the commons, to prevent any member of the houſe from accepting of any poſt or penſion, during that ſeſſion of parliament[61]. They extended their views beyond a temporary reformation, and turned their thoughts towards the moſt effectual means for ſecuring the independence, and preſerving the integrity, of ſucceeding parliaments. In order to prevent the court from conferring the privilege of voting on the very eve of an election, upon perſons devoted to its intereſt, and often brought from a diſtance, to counteract the natural and the pure influence of conſtituents, the period of one year's reſidence in the county or burgh in which they voted, and two hundred pounds clear of all incumbrances, were propoſed to conſtitute a qualification for a vote. Heavy penalties were enacted againſt corruption, and the magiſtrates and officers who ſhould connive at it. The bill concluded with declaring, that no future parliament ſhould, either by prorogation, adjournment, or any other method, be continued above the ſpace of two years[62]. That the commons might totally exclude the crown from every hope of ſupply by any expedient, without their conſent and authority, a bill was brought in and committed, to ſecure the ſubject from the illegal exaction of money[63]. Theſe laudable efforts for improving the conſtitution were fruſtrated by a miſunderſtanding which happened between the two houſes, in various points relative to the trial of lord Danby. A bill for ſecuring the liberty of the ſubject, known by the

[61] Journ. Commons, 1ſt May.

[62] This bill is not inſerted in the Journals. See an account of it in Ralph, vol. i. p. 449.

[63] Journ. Commons, 23d, 25th April, 1ſt May.

name

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name of the habeas corpus, met with better ſucceſs; and will for ever diſtinguiſh this parliament, by the grateful remembrance of poſterity[64].

A ſeries of meaſures, ſo hoſtile to prerogative, widened the breach between the king and the commons. No ſooner was it ſuſpected that the king intended to prorogue the parliament, than meaſures were taken out of doors to intimidate him, by diſplaying the ſtrong ſupport which the commons derived from the affections and gratitude of the people. An addreſs of thanks to the parliament by the city of London, and a remonſtrance againſt their prorogation, were prepared[65]. Precipitated by fear, the king durſt not hazard the advice of his new council, which he had pledged himſelf to regard; and, by an unexpected prorogation, ſtopt the tide of popular rage, which beat with ſuch threatening violence againſt the pillars of the prerogative. The third parliament of Charles was diſſolved the twelfth of July, one thouſand ſix hundred and ſeventy-nine, and a new parliament ſummoned to meet on the ſeventeenth of October following.

Parliament diſſolved.

27th May.

To the king, diſappointed of the ſucceſs he expected from the diſſolution of the long parliament, there now remained no proſpect of ſupplying his neceſſities, and of reigning in peace, but by renewing his alliance with France, or obtaining, in a new parliament, repreſentatives more friendly to the intereſts of the crown. Steps were taken preparatory to either of thoſe meaſures, as ſhould afterwards be found expedient.

Charles attempts to enter into a new treaty with the French king.

As Charles was led, by an infatuated predilection, to prefer the friendſhip of France to the affections of his ſubjects, ſo the former was at this

[64] Journ. Commons, 27th May.
[65] Reresby. Temple.

time

time ſtrongly recommended to him, by the addreſs and importunity of his brother[66]. Alarmed by the repeated attempts to exclude him from the throne, the duke of York devoted himſelf, with anxious aſſiduity, to promote a treaty between his brother and the French king, as the only means of preventing the meeting of a future parliament, and of ſecuring his own ſucceſſion[67]. The extravagant demands of Lewis firſt retarded the progreſs of this treaty, and at laſt put an end to it. He inſiſted that Charles ſhould lay aſide parliaments altogether, or diſcontinue them for a long time, a meaſure which, from paſt experience, had been found equally unſafe and impracticable[68]. The ſuſpenſion of parliament for the ſpace of three years, was at laſt agreed to by Charles, and accepted of by the king of France. But, though it was probable that the former was well inclined to conclude this treaty, yet his miniſters, particularly Sunderland and Hyde, who had taken every previous ſtep with zeal, rejected the terms of it, either from the dread of perſonal danger in caſe of detection, or from the apprehenſion of being diſappointed of the rewards they expected from France[69].

Circumſtances unfavourable to the court in the courſe of the elections.

In the mean while, the general courſe of elections did not open a near proſpect of compoſing the tumults of the nation, and of re-eſtabliſhing the tranquillity of the king, by the intervention of parliament. If patriotic zeal had not hitherto accompliſhed its full deſire, yet it had led to diſcoveries which faſtened ignominy upon the adherents to the court, and weakened their influence in the competition for public confidence. The

[66] Dalrymple, Ap. p. 239.
[67] See letters of the duke of York to Lewis, Ibid. p. 239.
[68] Ibid. p. 233-4.
[69] Ibid. p. 242.

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inquiry of the late parliament into the ſtate of the penſions, produced a liſt of names, which were circulated through the country with malevolent additions; and they were repreſented, as having rendered themſelves too infamous to be entruſted with the protection of the rights of their fellow-ſubjects[70]. To countenance their pretenſions was to participate of their crimes, and to endanger the conſtitution. The part which individuals had taken in the excluſion, the moſt ambiguous queſtion which had been diſcuſſed in the laſt parliament, was aſſumed as an infallible criterion to aſcertain integrity or corruption of character, and to fix the approbation or the cenſure of the people. The excluſioniſts were patriots, proteſtants, and friends to the conſtitution: the anti-excluſioniſts were, in their hearts, papiſts, the abettors of arbitrary power, and devoted to the intereſt of France[71]. All the malignant ingredients which compoſed the laſt of theſe characters were comprehended in the name of *Tory*, a term which had been formerly applied to the wildeſt ſavages in Ireland; while the loyaliſts as ſcornfully retorted upon their antagoniſts the appellation of *Whig*, by which they expreſſed the idea they entertained of their deſpicable ſtation, illiberal principles, and tumultuary proceedings[72]. Circumſtances ſo well fitted to work

[70] Caveat againſt Whigs, p. 68. North's Examen.

[71] Ibid.

[72] The terms *Whig* and *Tory* came to be in familiar uſe during the late parliament. The people, while the queſtion concerning the excluſion was depending, aſſembled, day after day, about the gates of Weſtminſter. The king's guards were ordered to diſperſe them; and as a ſcuffle ſometimes enſued, the enraged multitude expreſſed their indignation by giving their adverſaries the name of *Tories*. Such the wild Iriſh were called, of whoſe barbarity the moſt ſhocking accounts were at this time brought

work upon the temper of the people, ſtill agitated with freſh rumours about the plot, and applied with dexterity and diligence by the country party or whigs, produced a majority of returns in their favour. CHAP. III. 1679.

Some events occurred after the elections, which farther tended to increaſe the diſcontents of the people, and to furniſh new materials for the declamation of their leaders, when permitted to enter upon the diſcharge of their public truſt. The duke of York ſuddenly returned from Bruſſels, as ſoon as the king's indiſpoſition was notified to him, and met with a reception which confirmed the general impreſſion of his brother's unalterable attachment to his intereſt[73]. The moſt important favours conferred by the court were now traced to his recommendation[74]. The duke of Monmouth, who had attained to the ſummit of popularity by the intrigues of party, and the ſucceſs and lenity with which he had extinguiſhed the rebellion of the covenanters in Scotland, was deprived of all his offices, and baniſhed to the Continent; while the duke of York was permitted to reſide in Scotland, that he might be near the ſcene of action[75]. The invention of a new plot, called the meal-tub 2d Sept. October.

brought to London. The mean appearance of the rabble, who attended the excluſioniſts with ſhouts of applauſe as they entered and returned from the houſe of commons, provoked the loyaliſts to expreſs their contempt of them by the appellation of *Whigs*, which was appropriated to the pooreſt of the people in Scotland, or thoſe who carried to market the refuſe, or what was called the whig of the milk, which their wretchedneſs would not allow them to beſtow upon their cattle. North's Examen, p. 320.

The ſame names were afterwards applied to the clergy: thoſe who preached againſt the fanatics, and in defence of the prerogative, were called *Tories*: thoſe who ſounded the alarm of popery and of the plot, were called *Whigs*. Ibid.

[73] Burnet. Echard.

[74] Rereſby, p. 99.

[75] Echard.

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plot, revived the ſpirit of terror and proſecution, which had begun to languiſh from the yielding temper and ſevere ſufferings of the Roman catholics[76].

The king takes meaſures to gain popularity.

The impreſſion made by theſe events was too deep to be effaced by a few oſtentatious meaſures, purſued by the court in conceſſion to the prevailing ſentiments of the nation. Treaties with Spain and with Holland, formerly the object of patriotic deſire, were earneſtly ſet about, after the miſcarriage of the alliance with France. The moſt fervent zeal was affected by the court againſt Roman catholics, and the king embraced every opportunity of declaring his purpoſe to fall in with any new meaſures which might be ſuggeſted by the approaching parliament, to maintain the ſafety of the proteſtant religion, provided the legal order of ſucceſſion was not invaded[77]. This reſervation, however, the popular leaders were determined not to tolerate; and, though excluded from the opportunity of parliamentary oppoſition, they adopted a method of declaring their ſentiments, not leſs effectual, to embolden their adherents, and to confirm their jealouſy of the court.

The duke of York indicted as a popiſh recuſant. 1680. March.

The earl of Shaftſbury, accompanied by a conſiderable number of perſons of the firſt rank in the nation, preſented, to the grand jury of Middleſex, reaſons for indicting the duke of York as a popiſh recuſant. The refuſal of the chief juſtice Scroggs to admit the complaint, and a premature diſmiſſion of the grand jury, after he had been

[76] One Dangerfield, who had been branded for the moſt atrocioua crimes, pretended that money had been offercd him by ſome of the pohiſh lords, to kill the king and lord Shaftſbury; and becauſe ſome of the papers to which he referred as evidence were found in a meal-tub, the plot was called the Meal-tub Plot. Ralph, &c.

[77] Echard.

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ſent for to Whitehall, afforded a ſtriking evidence of the arbitrary ſpirit of government[78]. The long ſuſpenſion of parliament was marked, as a palpable contradiction to the hypocritical profeſſions of zeal for the proteſtant intereſt held forth in all the declarations of the court. The laſt parliament had been diſſolved in the very career of their zeal, and while proſecuting the moſt effectual meaſures to detect and to arraign the machinations of a reſtleſs and bloody ſuperſtition. Was there not reaſon to apprehend, that the reſentment of the court was excited by that part of their conduct which appeared meritorious, in the eyes of every perſon well affected to the religion and liberties of England[79]? The people, in general, were impreſſed with a full perſuaſion, that nothing leſs than the united wiſdom of their independent repreſentatives could penetrate into the deep myſteries of jeſuitical intrigues, or deviſe remedies adequate to the magnitude and extent of the miſchiefs with which they were pregnant: and yet, from month to month, by prorogation after prorogation, the nation was diſappointed of that antidote againſt danger which the conſtitution provided, and the royal proclamation had flattered them to expect. How mortifying, at the ſame time, to the new elected members, to be detained in an obſcure and private ſtation, and prevented from enjoying the honours and privileges annexed to the truſt and the public character, which the choice of their fellow-citizens had conferred upon them.

Agreeably to theſe ſentiments, a petition was preſented by ſeventeen peers, ſetting forth the ill effects of the diſſolution of the laſt parliament, and praying the king to continue his new elected

Petitions for the meeting of parliament.

[78] Ralph, vol. i. p. 504.

[79] Appeal from the city to the country.

parliament

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1680.

9th December 1679

12th December

parliament for the diſpatch of buſineſs, after the period of the next prorogation[80]. The influence of this example ſpread with rapidity, and brought in petitions to the ſame purpoſe from every quarter, and from every denomination of citizens[81]. A proclamation, iſſued by the king, to prohibit perſons from preſuming to promote, or *agitate* ſubſcriptions to petitions of a ſeditious tendency, only ſerved to evince the contempt of royal authority, puſhed beyond the reſtrictions of law. The violence of this meaſure, and a refined diſtinction, contrived to evade the law, which expreſsly aſcertained the right of the ſubject to petition the ſovereign, was expoſed with acrimony and ridicule in news-papers, and other periodical publications[82]. Prerogative was baffled; the ſtream of petitions ſtill flowed in with unabated violence[83].

Addreſſes of abhorrence.

If the authority of proclamations was inſufficient to prevent petitions from being thrown into the ſcale of popular intereſt, the only remaining remedy was, to counterbalance them by petitions and addreſſes of an oppoſite tendency. The duke of York, ambitious to carry along with him to court an evidence of the great perſonal influence he had acquired during his reſidence in Scotland, had obtained from the nobility and gentlemen there, an addreſs to the king, full of the moſt ardent declarations of loyalty and affection, and profeſſing, in the ſtrongeſt terms, an abhorrence of that turbulent ſpirit which dictated petitions diſreſpectful to his majeſty's perſon and govern-

[80] Burnet. Kennet. [81] Ibid.

[82] The term *agitate* ſubſcriptions, was ſuggeſted by lord keeper North, as a palliative of a proclamation, which ſeemed to be directly in the face of law. At the ſame time, the methods uſed by the popular party to procure ſubſcriptions to petitions, ſeemed to require a check. North's Examen, p. 541, &c.

[83] Echard, &c.

ment.

ment[84]. After this example, similar addreſſes were promoted by the agents and partiſans of the court in England; and even preſented by ſome of the towns and corporations which had petitioned for the meeting of parliament[85]. The general ſcope of them was to expreſs their ſenſe and abhorrence of the miſchievous tendency of petitions; and ſome of them even deſcended into a flattering approbation of thoſe meaſures of the court which were deemed moſt illegal and arbitrary[86].

Fourth parliament.

The period, to which men of every different opinion and party looked forward with the moſt anxious expectation, at laſt approached: The king, after ſix prorogations, met his parliament on the twenty-firſt of October one thouſand ſix hundred and eighty[87]. He mentioned in his ſpeech the beneficial effects which had reſulted from the ſeveral prorogations of parliament, both to himſelf and to neighbouring ſtates; and his having completed an alliance with Spain. He recommended the vigorous proſecution of the plot; and ſolemnly declared, that provided the ſucceſſion of the crown was preſerved in its due and legal courſe, there was not any remedy which they could propoſe for the ſecurity of the proteſtant religion, to which he would not readily give his conſent[88].

Sir William Williams was choſen ſpeaker of the houſe of Commons, and approved of by the king[89]. All the meaſures purſued by the two former parliaments, to ſupport the credit and keep alive the terror of the plot, were repeated, and need not

[84] Echard, &c.
[85] Ibid.
[86] Ibid.
[87] Ralph.
[88] Journ. Lords, 21ſt October.
[89] Journ. Lords, 22d October.

again

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again be ſpecified[90]. To all their ſolicitations and recommendatione upon this ſubject, the court yielded with an obſequious facility, which left no room for complaint or remonſtrance. A retroſpective view of the conduct of the court during the receſs of parliament, furniſhed ample grounds for commencing hoſtilities againſt the friends of the prerogative, and for trying the ſtrength of parties.

The commons cenſure thoſe members who had oppoſed petitions.

The ſuperiority of the whigs was diſplayed by the reſolutions of the commons, which adopted the characteriſtical ſentiments of the party, upon the queſtion of petitions. They declared, that it was the undoubted right of the ſubject to petition the king for a redreſs of grievances, and for the calling of a meeting of parliament[91]. They proceeded to open, effectual marks of their diſpleaſure againſt thoſe who had diſcountenanced the petitions: they declared ſuch conduct ſubverſive of the ancient conſtitution, and favourable to arbitrary government, and appointed a committee to inquire into, and make their report upon this matter[92]. They did not ſtop at threats and angry words: in conſequence of the report of their committee, they expelled ſome of their members for having joined in addreſſes of abhorrence, and others for having expreſſed their diſlike of petitions[93]. The commons did not confine their reſentment to offenders on the ſubject of petitions, or to ſuch as were placed more immediately within their own juriſdiction: they were determined that perſons of the firſt eminence, and who, from the in-

[90] Journ. Lords, 23d October, &c. Journ. Commons, 28th October, &c.

[91] Journ. Commons, 27th October, &c.

[92] Ibid.

[93] Ibid. 29th Oct. 1ſt Nov. and 10th Dec.

fluence

fluence of office, enjoyed more frequent opportunity, and more extenſive capacity of promoting arbitrary meaſures, ſhould feel and learn to dread the ſeverity of their chaſtiſing arm.

Inquiry into the miſconduct of judges.

In order to compaſs this deſign, they appointed a committee to examine the proceedings of the judges in Weſtminſter-hall[94]. North, lord chief juſtice of the common pleas; ſir Robert Weſton, one of the barons of exchequer; ſir William Scroggs, the chief juſtice; and ſir Thomas Jones, one of the puiſne judges of the king's bench; had all of them fallen under the diſpleaſure of the public, for having adviſed the court to illegal meaſures, or for having proſtituted their official authority, by exceeding in ſeverity, or by obſtructing the courſe of juſtice, to gratify the caprice or reſentments of the court. Hence theſe perſons were marked out as the moſt proper objects of patriotic reſentment. After the examination of evidence, and the reports of their committees, impeachments were voted for and carried, and articles immediately drawn up againſt Scroggs, and preſented to the houſe of peers[95].

The bill of excluſion paſſes in the houſe of commons.

But the great and intereſting object on which the whigs collected their utmoſt force, was the bill of excluſion. It was uſhered into the houſe by an information, containing all the reports of the two laſt parliaments relative to the popiſh plot; and by reſolving, that the duke of York's being a papiſt, had given the greateſt encouragement to the conſpiracies againſt the king, and the proteſtant religion[96]. A committee was appointed to draw up a bill to diſable him from ſucceeding to the crown of England[97]. The bill when introduced,

[94] Journ. Commons, 23d November, 1679.

[95] Journ. Commons, 23d, 24th, and 26th November, 10th, &c. December 1680; 5th and 7th January, 1681.

[96] Ibid. 2d November 1680.

[97] Ibid.

CHAP. III. troduced, was ſupported by the moſt eminent ſpeakers, while the few who adhered to the court, oppoſed it in every ſtage; and endeavoured to load it with amendments, which were likely to defeat its end[98]. In vain had the king attempted to divert the commons from this obnoxious ſubject, by repeated aſſurances of his approbation of every other plan they could deviſe for the ſecurity of the proteſtant religion, provided they did not violate the hereditary ſucceſſion[99]. To theſe the commons replied with an addreſs, which, under the maſk of a reſpectful anſwer, couched the ſharpeſt reprehenſions for the error and malignancy of thoſe counſels which he had hitherto followed. If the cruel machinations of Rome ſhould yet take effect; if her emiſſaries, through failure, or the ſuppreſſion of evidence, ſtill lurked about and infeſted the kingdom: it was entirely owing to the diſſolution of the laſt parliament advancing in patriotic meaſures, with that zeal and ſucceſs, which merited the applauſe and the congratulations of the nation. They arraigned the king for the palpable contradictions of his conduct to his profeſſions and promiſes, while he entruſted the garriſon of Tangiers, for the ſupport of which he was ſoliciting ſupply, to the command of popiſh governors, and re-inforced it, from time to time, with popiſh officers and popiſh ſoldiers. However anxious to preſerve the Britiſh dominions entire, yet it were treachery to their conſtituents, to turn their attention towards the diſtant members of the empire, while its vital parts were threatened with deſtruction[100].

1680-1.

[98] Grey's Debates, 3d, 6th, and 11th November.

[99] Journ Commons, 9th November, 1680; 4th January 1681.

[100] 17th November. See particularly their addreſs, 27th November 1680.

The

The rumour of a popiſh plot in Ireland was eagerly embraced by the commons, as affording them a favourable opportunity for enlarging the liſt of their witneſſes, and for pleading the neceſſity of the excluſion bill[101]. When the vicinity of that kingdom was conſidered, and in what immenſe proportion the papiſts exceeded the proteſtants, there could be but little hope that any limitations which the wiſdom of parliament could deviſe, would be regarded by a popiſh ſucceſſor.

Rejected by the lords.

The bill of excluſion did not meet with that reception and that ſupport in the houſe of lords, which might have been expected from the number and the intereſt of thoſe members who had been the moſt active, in every preliminary ſtep, to proſecute the abettors of the plot, and to thwart the influence of the duke of York. The commitment was carried only by two votes, and the ſame evening it was debated, and caſt out by a great majority[102]. The maſterly eloquence of the earl of Halifax, which, upon this occaſion, far excelled that of his oponents, is ſaid to have operated powerfully in ſubduing the minds of the unprejudiced, and in ſettling the deciſion of the lords[103].

Almoſt every future purpoſe and meaſure of the houſe of commons in this ſeſſion, was dictated by their reſentment for the rejection of their favourite bill. They addreſſed the king to remove the earl of Halifax from his councils[104]. They declared that it was in vain for his majeſty to promiſe a limited concurrence with the remedies which might be propoſed for the ſecurity of the proteſtant reli-

[101] Journ. Commons, November and December 1680; 4th, 5th, 6th and 7th January 1681.

[102] Lords Debates, vol. i.

[103] Reresby, p. 104.

[104] Journ. Commons, 17th and 22d November 1680.

gion;

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gion; that, unleſs he departed from his reſervation of the ſucceſſion of the duke of York, neither his perſon nor his proteſtant ſubjects could remain in ſafety[105].

Bill for aſſociating his majeſty's proteſtant ſubjects.

They renewed many ſevere reſolutions againſt the papiſts, and ordered a bill to be brought in, to aſſociate all his majeſty's proteſtant ſubjects, for the ſafety of his perſon, the defence of the proteſtant religion, the preſervation of the lives of proteſtants, and for preventing any papiſt from ſucceeding to the crown[106].

For repealing the penal ſtatutes againſt proteſtant diſſenters.

As a preliminary ſtep to the union of his majeſty's proteſtant ſubjects, it was neceſſary to repeal thoſe penal ſtatutes of Elizabeth and James, which expoſed the popiſh and proteſtant recuſants to the ſame ſevere penalties. While theſe ſtood unrepealed, many of the latter looked with indifference towards the iſſue of the diſpute concerning the excluſion. There even appeared ſome ground for hope, that their ſituation might be improved, by the event of a popiſh ſucceſſor, who, if he could not eſtabliſh his own religion, ſo repugnant to the inclinations of his people, would certainly, under the equitable pretext of a geheral toleration, procure for diſſenters of every ſect, a mitigation of thoſe ſeverities with which they were now oppreſſed. Experience of the indulgences, illegally granted by the diſpenſing power of the king, had ſoftened many of them, and rendered them more remiſs in concurring with the members of the eſtabliſhed church againſt the common enemy. In order to unite the counſels and exertions of the proteſtant intereſt, a bill to repeal the penal laws enacted by the ſtatute of Elizabeth quickly paſſed in the houſe

[105] Journ. Commons, 15th and 20th December.
[106] Ibid.

of

of commons, and obtained alſo the conſent of the peers[107]. CHAP. III. 1680-1.

The king had recourſe to a mean and fraudulent artifice, in order to ſuppreſs this meaſure, from which, as it was ſo ſtrongly recommended by reaſon and humanity, he durſt not openly withhold his conſent. The clerk of the crown was directed to withdraw the copy of the bill from a large parcel with which it had been arranged, in order to be preſented for the royal aſſent[108]. Such a ſhameful departure from dignity and honour, excited a juſt indignation, and refuted thoſe ardent profeſſions of lenity and toleration, under which he had hitherto concealed his partiality for the profeſſors of the Roman catholic religion.

The commons, in the courſe of this ſeſſion, rejected whatever applications were made for ſupplies, and at length boldly declared, that unleſs the bill of excluſion was paſſed, they could give no farther pecuniary aſſiſtance to his majeſty, without endangering his perſon and the proteſtant religion. In order the more effectually to ſhut up every channel which afforded the ſmalleſt proſpect of relief to him, now reduced to the moſt preſſing circumſtances, they declared, that whoever ſhould preſume to advance money before-hand, or purchaſe any part of the revenue, ſhould for that act be amenable to parliament[109]. The commons reſolve to withhold ſupplies.

Aware of their approaching diſſolution, the commons loſt no time in paſſing ſuch votes as might leave upon the minds of the people a deep impreſſion of the indiſpenſable neceſſity of their determined and inflexible adherence to the bill of excluſion, and of the weight of that intereſt by Angry votes againſt the court.

[107] Journ. Commons and Lords, 26th November.
[108] Burnet, 1680.
[109] Journ. Commons, 7th January 1681.

which

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which they were ſupported. The thanks of the houſe were voted to the city of London for their loyalty, their care, and their vigilant preſervation of the proteſtant religion[110]. The conflagration of the city of London, which had happened many years before, was, by another vote, recalled to remembrance, and aſcribed to the ſame malignant agency of the Roman catholics. They reſolved, that it was the opinion of the houſe, that James duke of Monmouth had been removed from the court merely by the influence of the duke of York, and ordered an addreſs to be preſented to the king, to reſtore him again to favour and to office. They terminated their deliberations and exiſtence with expreſſions of the warmeſt affection towards the proteſtant diſſenters[111]. They were ſuddenly ſummoned to attend the king in the houſe of peers, and the parliament was prorogued from the tenth of January to the twentieth. In a few days after, it was diſſolved.

The king ſummons a parliament

The neceſſity of his circumſtances, more than any regard to the conſtitution, determined the king, after an interval of two months, to call a new parliament. Without immediate ſupplies it was impoſſible to preſerve Tangiers; and the deſertion of it muſt have proclaimed to Europe the ſcanty finances, and the degraded authority, of the Engliſh monarch. Conſidering how much the royal credit had been impaired by the late reſolutions of the commons, with reſpect to the anticipations of the revenue, even the ordinary expences of the king's houſehold and perſon required that rigid œconomy to which the former habits of Charles were but ill adapted. Should his expectations of ſupply be once more diſappointed, ſhould ano-

[110] Journ. Commons, 10th January 1681.
[111] Ibid.

the

ther parliament prove equally averſe to a reconci- CHAP. III. liation and every ſcheme of a compromiſe with regard to the ſucceſſion, he might then appeal to the reaſon and the compaſſion of his ſubjects, while with reluctance he was compelled to diſcontinue the meetings of parliament, and to deviate from the legal and the ordinary methods of ſupplying the neceſſities of government. 1681.

to meet at Oxford.

That the king preferred the firſt of theſe alternatives, and really wiſhed to be reconciled to his parliament, may be fairly concluded from the reſolution to change the place of meeting. The excluſioniſts in parliament had hitherto taken their meaſures in concert with the city of London, and, from the immediate preſence of a body of friends ſo numerous and ſo opulent, they acquired that fortitude and vigour, which rendered them indifferent either to the threats, the frowns, or the flattery, of the court.

Petition againſt holding the parliament at Oxford.

As if the anti-courtiers had been aware that they muſt fight with the diſadvantage of ground if the field of political combat ſhould be changed, an attempt was made to prevail with the king, to retract that part of his proclamation which had appointed Oxford for the place of meeting. A petition was preſented to him, ſubſcribed by ſixteen peers, in which number were Monmouth and Shaftſbury, which mentioned the premature diſſolution of the two laſt parliaments in ſtrong terms of reprehenſion, and repreſented the inconveniences and dangers which muſt ariſe from the holding a meeting of the parliament at Oxford[112].

Parliament meets.

The parliament met at Oxford on the twenty-third of March, one thouſand ſix hundred and eighty-one. Sir William Williams was choſen

[112] Somers' Col. vol. i. p. 105.

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ſpeaker. The ſhort duration of this ſeſſion admitted of little variety of debate, and affords but few materials of political diſcuſſion. The king in his ſpeech ſharply reflected upon the obſtinacy of the laſt parliament, in having ſpurned at conceſſions ſo reaſonable and ſo generous as thoſe which he had propoſed for impoſing limitations upon his ſucceſſor, and ſaid, that as he did not himſelf uſe arbitrary power, he would not permit it to be uſed by others[113].

Bill of excluſion.

The ſpirit of the commons was not broken or overawed by the change of place, or the menaces of the prince. The bill of excluſion was introduced by one of the London repreſentatives in the name of his conſtituents[114]. A meſſage was ſent to the lords, deſiring them to concur in an inquiry about the miſcarriage of the bill relative to the repeal of the penal ſtatutes againſt diſſenters[115]. They inquired into the proceedings of the laſt parliament with reſpect to the impeachment of lord Danby[116].

Diſagreement between the two houſes upon the caſe of Fitzharris.

The king, from theſe expreſſions of the temper of the houſe, abandoned every hope of reconciliation. He eagerly laid hold of a diſagreement ſubſiſting between the two houſes, as a pretext for diſſolving this parliament. The commons had preſented articles of impeachment to the peers againſt Fitzharris, who had been lately apprehended for treaſon[117]. The attorney-general informed them in his majeſty's name, that he had already indicted Fitzharris, and intended to carry on the proſecution

[113] Journ. Lords, 21ſt March.

[114] Journ. Commons, 26th March. Grey's Debates, vol. viii. p. 309.

[115] Journ. Commons, 25th March.

[116] Ibid.

[117] Ibid. 26th March.

againſt

againſt him according to the ordinary courſe of law. As it did not appear that the court intended to favour the criminal, and as it was inſinuated that the commons wiſhed to accompliſh ſome factious end, by wreſting the proſecution out of the hands of the crown, the impeachment was refuſed, and Fitzharris reſerved for the common courſe of juſtice. CHAP. III. 1681.

The commons were inflamed with indignation at this refuſal; they reſolved that it was their undoubted right to impeach for treaſon, or for any other miſdemeanor; that a negative in the preſent inſtance was a denial of juſtice; and that it would be a high breach of privilege, in any inferior court, to preſume to judge in the caſe of Fitzharris[118]. Parliament diſſolved. 28th March.

The king, profeſſing the deepeſt concern for theſe animoſities, which, he ſaid, deprived him of all hope of ſucceſs and reconciliation, diſſolved the parliament.

[118] Journ Commons, 26th March.

CHAP. IV.

Cauſes of the Change in the Temper of the Nation from Loyalty to Diſaffection.---Oppreſſive Government in Scotland.---Extraordinary Licentiouſneſs in Converſation and Writing.---Extreme Dependance of the Crown.---Inſtability of the King, and Diſunion of his Miniſters.---Great Support of Oppoſition.---The Abilities and Influence of their Leaders. The Intrigues of France.---Obſervations.

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1681.

AT the period at which we concluded our laſt chapter, the whigs had attained to the ſummit of popularity and of influence, and the power of the crown had ſunk into the loweſt ſtate of depreſſion. The ſame fervent ſpirit ſtill animated individuals, and, in ſome future conflicts, prevailed againſt the court; but the prejudices of the nation began gradually to return to the ſide of loyalty, and the leaders of oppoſition, overawed by the ſeverity of perſecution, and doomed to a private ſtation by the ſuſpenſion of parliament, were deprived of that energy and ſupport, which were neceſſary to make any effectual impreſſion upon the prerogative.

Cauſes of the change in the temper of the nation from loyalty to diſaffection.

In this place, therefore, it may be uſeful to interrupt our narrative, while we direct our attention to the principal cauſes which co-operated with the events already recited, to change the temper of the nation, from loyalty to diſaffection; and excited thoſe diſtruſts and jealouſies and tumults, which brought it to the verge of a rebellion. The detection of a popiſh plot, real or imaginary, however alarming it might be, could not have

produced ſuch effects, without the aid of adventitious circumſtances; which not only ſeemed to ſtrengthen the evidence, but contributed, in other reſpects, to depreciate the reputation and authority of the court, and to raiſe, in an oppoſite degree, the credit and influence of thoſe who were at the head of the country party. CHAP. IV. 1681.

1. The conduct and the meaſures of miniſtry in Scotland, from the acceſſion of the preſent king, exhibited an example of the moſt arbitrary and tyrannical ſyſtem of government[1]. Inſtances of Oppreſſive government in Scotland.

[1] The effects of the reſtoration upon the political ſtate of England and of Scotland were widely different. In England, after that event, many of the laws in favour of the rights of the ſubject, which had been paſſed by the long parliament, were adopted and ratified by the legiſlature. In Scotland, by a reſciſſory act, all ſtatutes paſſed after 1633, were abrogated; and by various poſitive acts, the prerogative of the crown was extended to a degree that never had been known or claimed by any of his majeſty's anceſtors. See a narration of the ſtate of affairs in Scotland, ſent by the earl of Middleton to Charles II. Miſcellanea Aulica, p. 173.

The expreſſions which the Scotch authors, after the period of the reſtoration, uſe, when ſpeaking of the prerogative, which to Engliſh ears ſounded as the moſt fulſome adulation, were literally true with reſpect to Scotland. "The king is an abſolute unaccountable monarch. All juriſdiction ſtands and conſiſts in the perſon of the king, proceeds from him, and is given and committed as he pleaſes." Scotiæ Indiculum. Temp. Car.

There were two material alterations, the one in the eccleſiaſtical, the other in the civil conſtitution of Scotland, effected in the reign of Charles II. 1ſt, By the act of ſupremacy, the king's power, with reſpect to matters of religion, was made abſolute and independent, either on the clergy, or the States of Scotland. 2dly, The militia of Scotland, formerly reſtricted to the internal defence of the country, was entirely ſubjected to the authority of the king; and might be removed to England or Ireland, for any ſervice which he required.

Arbitrary monarchy or deſpotiſm, eſtabliſhed in a neighbouring kingdom, and veſted in the perſon of their ſovereign, could not fail to be highly alarming to the people of England, though it had exiſted only in ſpeculation, or deſcended to him from remote antiquity, and in the way of hereditary right. But when it was obſerved,

CHAP. IV. 1679.

oppreſſion and cruelty, which, from their vicinity and frequent intercourſe with Scotland could not be

obſerved, that abſolute power was an innovation, even in the ſiſter kingdom (compare note [1], chap. x.): that it was ſuggeſted and made effectual by corrupt miniſters; and that there was too much reaſon to ſuſpect that it was agreeable to the temper and inclinations of the prince; what had they not to fear? Would not he, if ever he enjoyed opportunity, extend the ſame claims to England? But the bare theory or principles of government in Scotland would not alone have excited ſuch alarm in England. As we form our opinion of individuals in privateſtation, and in the ordinary intercourſe of life, from the habitual tenor of their actions, more than we do from any ſpeculative ſyſtem which they profeſs; ſo it is with reſpect to men who are veſted with a public or magiſterial character: our judgment and affections are influenced by the tendency of their executive meaſures and official conduct, rather than by the abſtract principles and political maxims which are aſcribed to them. If the government in Scotland had been conducted with mildneſs and temperance, the extravagance and danger of its claims might have been forgotten; but when the plenitude of prerogative, lately recognized by the legiſlature there, was exerciſed with wantonneſs and oppreſſion almoſt unparalleled, under the moſt deſpotic prince; when its ſeverities even exceeded its deſcribed and uſurped pretenſions, the people of England muſt have been treacherous to themſelves and their poſterity, if they had regarded with an indifferent eye the calamities of their fellow-ſubjects.

Examples of the oppreſſive government in Scotland are ſo various and ſo enormous, that one is at a loſs to reduce them to any claſs, or to make any ſelection of them. There is not any ſpecies of tyranny; fines, arbitrary impriſonments, military executions, torture, &c.; that was not exerciſed, nor was there any order of men who did not, in their turn, groan under the iron rod of arbitrary power. Above all, the perſecution of religious offenders in Scotland was conducted with ſuch aggravations of perfidy and cruelty, as muſt neceſſarily have excited the indignation of all who heard of them, though they had not been immediately connected, either with thoſe who inflicted, or with thoſe who ſuffered by them.

Biſhop Burnet compares the character of Charles II. to that of the Roman emperor Tiberius; and the great Mr. Hume animadverts with deriſion upon the acrimony of the compariſon. If the biſhop had compared the oppreſſion of Charles's government in Scotland, to that of Tiberius in any part of the empire, the obſervation

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be concealed from their fellow-ſubjects in England, awakened the ſympathy and afflicted the ſpirits of the generous and the humane, and infuſed uneaſy apprehenſions into thoſe who were jealous for their own liberties. The diſcontented party in that kingdom, having found that the complaints and remonſtrances, addreſſed to the king, were neglected and diſregarded, fondly turned their eyes towards the country party in England, as the only ſource of redreſs and deliverance. The account which the diſaffected in Scotland tranſmitted to the leaders of oppoſition in England, with whom they held a conſtant correſpondence, were induſtriouſly, and in terms by no means extenuating, communicated to the people, who daily complained of the violent encroachments of prerogative, and trembled for the approaching ſubverſion of their own deareſt privileges. The oppreſſion of Scotland was contemplated as a prelude to that tyranny, which, if not reſiſted with fortitude and with

obſervation would have been perfectly unexceptionable. Nay, perhaps, if the tempers of the emperor and the king had been inferred merely from acts of ſeverity which happened under their government, the deciſion would not have turned out in favour of the latter. Mr Hume again obſerves, "that theſe violent proceedings in Scotland, under the miniſtry of Lauderdale, were "very oppoſite to the natural temper of Charles." But the apology is in ſome meaſure withdrawn, when he again adds, in the next paragraph, from Burnet, "that Charles, after a full "hearing of the debates concerning Scots affairs, ſaid, I perceive "that Lauderdale has been guilty of many bad things againſt "the people of Scotland, but I cannot find that he has acted any "thing contrary to my intereſt." Mr. Hume with propriety adds, "a ſentiment moſt unworthy of a ſovereign."

The examples and effects of the oppreſſive government of Charles in Scotland, are recited by the ſame author, with ſuch minuteneſs, fidelity, and perſpicuity, and at the ſame time in a manner ſo elegant and intereſting, that I have not preſumed to enter into the detail of them. Hume's Hiſtory, vol. vi. chap. 2. 4. and 7.

[2] Ralph, vol. i. North's Examen.

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with perſeverance, would, ere long, be brought home to themſelves. Conſolations, however, were blended with their fears, while precedents of danger, and the aids of reſiſtance, ſeemed to iſſue from the ſame fountain, and to be connected in the ſame view. From the diſcontents of a people brave and warlike, they indulged the hope of deriving ſupport in the day of extremity, and were encouraged to reſiſt every oppreſſive attempt with greater boldneſs and vigour. In conſequence of this view of an aſſociated intereſt, the parliament of England had repeatedly addreſſed the king to diſmiſs the duke of Lauderdale, the principal adviſer of arbitrary proceedings in Scotland[3]. The earl of Shaftſbury, the moſt illuſtrious champion of oppoſition, expatiated upon the grievances of Scotland in a memorable ſpeech, which he delivered upon the ſtate of the nation in the parliament of England. He endeavoured to impreſs his hearers with a veneration for the antiquity, the dignity, and the bravery, of the people of Scotland; he wiſhed to intereſt their affections by ties the moſt tender and endearing. It was not for ſtrangers and for aliens, but in behalf of their own ſiſter and neareſt relation, that he now attempted to awaken their compaſſion, and to engage their friendly interpoſition. If more generous principles could not move their hearts, yet of their own intereſts ſurely they would not be regardleſs. From the ſame adviſers and agents, the ſame meaſures might naturally be expected in every corner of the kingdom. If the poorer country was rendered a monument of peculation and of oppreſſion, could the richer one hope to eſcape the depredations of tyrannical and rapacious rulers? If the nobility of Scotland were ſpoiled of their privileges,

25th March 1679.

[3] Journ. Commons, 13th January, 1674, 14th April, 1675.

leges, which, through a long and illuſtrious line of anceſtors, they enjoyed, how vain were it for the people of England to expect to maintain their independence, and Magna Charta, inviolate[4]? This ſpeech was immediately committed to the preſs, and ſeveral copies of it were ſent to Edinburgh by the firſt poſt, as a teſtimony of the ſenſe of that common intereſt and affection which united the diſcontented in both kingdoms; and of the reciprocal influence which each imparted to the other[5]. If the diſcontents in Scotland ſupplied fewel to thoſe flames of oppoſition which had begun to kindle in England, ſo, on the other hand, from the ſympathy and the countenance of ſo powerful a body as the leaders of the country party, the diſaffected in Scotland derived fortitude in ſtruggling againſt that oppreſſion, under which, if left to themſelves, they muſt have ſunk into deſpair.

1679.

Extraordinary licentiouſneſs in converſation and writing.

2. An unbounded licentiouſneſs, both in ſpeech and writing, prevailed after the diſſolution of the ſecond parliament, propagated ſuſpicions, and fomented jealouſies of the government, and eaſily diſpoſed the people to adopt any meaſures, however violent, which were ſuggeſted by the overheated zeal of their leaders. When Charles aſcended the throne of England, the nation, wearied with the ſtruggles of a civil war, and the commotions which followed the ſubverſion of monarchy, panted for the re-eſtabliſhment of order and of tranquillity. Whatever difference of ſentiment ſtill prevailed with reſpect to ſubjects of a political nature, all ranks of men, after the reſtoration, ſeemed to agree to a ſpontaneous ſuppreſſion of them, and to a total ceſſation from controverſial hoſtilities. Divided as they were by religious opinions and denominations, they avoided, with a

[4] Echard. [5] Ralph.

ſtudied

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ſtudied caution, thoſe ſubjects which tended to revive diſputes and animoſities concerning politics. While the claims of prerogative were moderate, and the obedience of the ſubject prompt and cheerful, it appeared an idle and dangerous curioſity to inquire how far regal authority might be extended, and where the reſiſtance of the ſubject ought to begin. The king's declaration of indulgence to the diſſenters, publiſhed in the year one thouſand ſix hundred and ſixty-two, as it was relinquiſhed upon the remonſtrance of parliament, ſo it was conſidered as an unguarded act of a benevolent heart, rather than any indication of a tyrannical ſpirit, or of an over-rated eſtimation of the powers of prerogative. But when the ſame claim to diſpenſe with law, was again reſumed, in conjunction with the moſt arbitrary meaſures; when the king ſet his parliament at defiance, by announcing his determination of adhering to his declaration; when the odious doctrines of paſſive obedience and of non-reſiſtance were impoſed upon the ſubjects by the ſolemnity of an oath, and all freedom of inquiry and of debate ſuppreſſed, by which the errors of government are controlled and the ſpirit of the conſtitution is invigorated; then it was that inattention became criminal, and acquieſcence ſtamped with cowardice and diſgrace. The people were invited, as they tendered their deareſt intereſts, to ſurvey, with a jealous eye, thoſe landmarks which divided the property of the different conſtituent powers of government. The ſpirit of inquiry was rouſed; the preſs teemed with political publications; queſtions of government became the ſubject of common converſation; and, at laſt, produced a declaration of ſentiments which characteriſed parties[6]. Two acts, which had

16th March, 1672.

[6] See Publications of the Times. State Papers. T. C. 2. Somers' Col.

been

been paſſed in the ſecond parliament of Charles, one for regulating the preſs, the other for preventing abuſes in printing ſeditious books, were found to have been only of limited duration; and, by fair and legal conſtruction, to expire with the firſt ſeſſion of the third parliament of Charles[7]. A proclamation was iſſued by the crown for the ſuppreſſion of coffee-houſes, which were conſidered as ſeminaries of ſedition and offices for the fabrication of political lies, and the meaſure was juſtified by a ſtrained interpretation of the law[8]. The temporary advantages, which the crown gained by the ſuſpenſion of argumentative hoſtilities, were more than counteracted by the additional violence, by which they broke forth when allowed their full ſcope. As the torrent, which has been for a while ſtemmed and obſtructed, gradually collects accumulated force, and, at laſt, bearing down every reſiſting mound, ruſhes forward with more rapid and expanded deſolation; ſo thoſe apprehenſions of grievances and dangers, which might have evaporated with utterance, ſwelled and multiplied under the preſſure of conſtraint, and, in the day of toleration, came forth with all the exaggerated horrors of a gloomy imagination. Every incident was improved, every prejudice wrought upon in the moſt artful manner, in order to bring into diſcredit the late meaſures of government, and to blacken the characters of thoſe who purſued them. To thoſe who were fired with zeal for the honour of their native country, ſhe was held forth as the deriſion of foreign nations: popery and arbitrary power were ſounded in the ears of thoſe who were friends to liberty and the proteſtant religion. The Roman catholics, already

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29th Dec. 1675.

[7] Journ. Commons, 2d April 1679.
[8] North's Examen. p. 138.

too

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too much the objects of popular odium, were repreſented as the inſtruments of the late conflagration in London, and of all the calamities which had befallen the nation ſince the commencement of the preſent reign. Theſe, however, it was aſſerted, were but ſlight, in compariſon of the deſtructive ſchemes which were now forming[9]. Blood, and horror, and deſolation, were repreſented as hovering over the nation.

To give more regular and more extenſive influence to this plan of detraction, clubs and aſſociations were formed, which met at ſtated times in different quarters of the city[10]. The object of theſe clubs was to court and to inveigle proſelytes to oppoſition, and to ſeek after the fitteſt inſtruments to co-operate with them in diſparaging and embarraſſing meaſures of government. They were charged to liſten with open ears to every ſurmiſe of public danger, to every ſtory diſgraceful to the character of the king, and of the duke of York, and to diſperſe them with the utmoſt expedition throughout the kingdom. Even the characters of the moſt inconſiderable partiſans of the court

[9] See Publications of the Times, particularly an appeal from the country to the city.

[10] The moſt celebrated of theſe was the *Green Ribbon Club*, which conſiſted of two hundred perſons, devoted to oppoſition and to the bill of excluſion. Sir Robert Payton, who incurred the cenſure of the houſe of commons for having made his peace with the duke of York, being queſtioned by the houſe, informed them, that the duke of York ſaid to him—"You have been "againſt me, ſir Robert, you was a member of the Green Rib-"bon Club."

He was afterwards expelled the houſe of commons for being reconciled to the duke of York; and the ſpeaker, alluding to his former character, addreſſed in him theſe words—"You are "fallen from being an *angel* to be a *devil*; you were buſtling in "this houſe and in coffee-houſes; your country choſe you to be "an example to other men, &c. &c." Grey's Debates, vol. viii. p. 137. 149.—Reresby.

were

were ſcanned with malignant criticiſm, and their influence at elections often defeated, by fictitious or exaggerated aſperſions tranſmitted to their electors. The principal members of thoſe aſſociations maintained an intercourſe with foreign miniſters, and, by their aid and information, were enabled to communicate ſuch deſcriptions of foreign affairs as ſeemed beſt fitted to anſwer the views of their party[11]. The ſucceſs of theſe various artifices of the country party was fully anſwerable to their moſt ſanguine expectations. From the city of London, as from a poiſoned fountain, iſſued thoſe ſtreams, which communicated diſeaſe and infection to the remoteſt provinces of the kingdom. Faction, diſcontent, and tumult, univerſally prevailed.

It is true, at the ſame time, that the court was not leſs active, or more delicate about the methods employed to ſuſtain its authority, and to blaſt the projects of its antagoniſts. The judges were made the inſtruments of royal vengeance; forced conſtructions were put upon expreſſions contained in publications againſt the court, and puniſhed with unconſtitutional ſeverity[12]. Nor were the writers for the government reſtrained by any reſpect to truth or decorum. The baſeſt motives of conduct were aſcribed to the moſt reſpectable perſons who acted upon the ſide of oppoſition. Many of the lawyers officiouſly obtruded their opinion upon matters in diſpute between the king and his ſubjects, and with ſycophantic adulation ſupported and approved of the arbitrary meaſures of the court. Both of the univerſities reprobated the

[11] North's Examen.

[12] Journ. Commons, 23d December 1680. State Trials, vol. iii.

doctrines

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doctrines laid down in patriotic publications, and ſuſtained the arbitrary claims of the court with the ſanction of claſſical authority[13]. To the reproach of the eſtabliſhed church, it muſt be owned, that truth and patriotiſm were often ſacrificed to the view of preferment, while the maxims of a religion friendly to the original rights and the happineſs of mankind, were perverted to favour political principles, tending to degrade and to oppreſs the human race[14]. It is certain, however, that the country party gained more by the abuſe of liberty, and the licentiouſneſs of poiemical authors, than the court did by the arbitrary extenſion of law, and the flattery of its literary retainers. If equal abilities and induſtry had been brought forward upon both ſides, yet publications, which ſtudied the intereſts and flattered the prejudices of the people, and were moreover recommended by the never-failing attraction of novelty, muſt have obtained the advantage, by more deeply impreſſing the underſtanding, and by agitating the paſſions of men.

Extreme dependence of the crown.

3. The extreme dependence of the crown, and its narrow influence, ſtill farther diminiſhed by the inſtability of the king, and the diſunion of his miniſters, removed the awe which muſt have controlled an oppoſition to a powerful and ſteady prince, ſupported by an adminiſtration united among themſelves, and conſiſtent and firm in the proſecution of the meaſures which they adopted. At the period of which we now treat, the authority of the crown of England depended more upon opinion and affection, ever variable and uncertain, than it did upon the poſſeſſion of thoſe inherent faculties and wide dependencies, which,

[13] See Addreſs of the Templars of Oxford and Cambridge. State Papers, T. C. 2.

[14] Burnet, 1679.

by

by operating upon the underſtanding and the intereſt of men, produce a more uniform and efficient influence. While inequality of wealth and fortune prevailed to a greater degree, and ſubordination of ranks was diſtinguiſhed by wider intervals, more implicit reſpect was paid by perſons of inferior to thoſe of ſuperior ſtation; and the higheſt ideal dignity was, in general, annexed to the office and perſon of the ſovereign. The party of the tories, which comprehended the greateſt proportion of perſons of landed property, looked up to the throne with idolatrous veneration, and maintained, in theory, maxims concerning the prerogative, repugnant to the principles of a mixed government. But there were other circumſtances which counterbalanced theſe prejudices, and rendered the power of the crown not leſs formidable, but more precarious and feeble, than it has been, ſince the privileges of the ſubject and the prerogative of the prince have been aſcertained and regulated by the bill of rights. A ſcanty revenue, obtained with difficulty and after much ſolicitation, and levied not without conſiderable deductions, afforded the prince a penurious ſubſiſtence, without leaving any fund for thoſe gratuitous donations, which, even when they are beſtowed with the pureſt motives and unimpeached propriety, extend attachments to the court, by awakening gratitude for paſt and expectation of future favours. The enlarged compaſs of the Britiſh empire has increaſed the ſtock of royal favours, and created new dependencies and new additions to the power of the crown. An extenſive commerce has introduced ſtreams of wealth, which enable the nation to ſuſtain unprecedented burdens of debt with untainted credit, and engage its moſt wealthy and powerful inhabitants to uphold the energy of government, and to maintain the

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the line of ſucceſſion in its due courſe. A ſtanding army, numerous and well diſciplined, operates to the ſame effect, and affords the king and the government a ſecurity againſt inteſtine tumults, more effectual than that ſervile awe which was obtained by the examples of vengeance, inflicted under the authority of corrupt judicatories.

In proportion as the power of the crown was dependent and ſtinted in its root, the delegation of its authority was impotent, contemptible, and eaſily ſhaken by the attacks of oppoſition. In the reign of Charles, not only general ſubjects of public concern, but ſuch meaſures as belonged properly to miniſterial departments, were introduced in both houſes by private members unconnected with the court. Sometimes the moſt obnoxious meaſures purſued by the crown were withheld from the deliberation of parliament, and often carried on, in the moſt clandeſtine way, without the participation, or privity of miniſters themſelves. In order to put a ſtop to meaſures offenſive to him, the king was forced either to have recourſe to premature prorogations, or the exerciſe of his negative power, by which the courſe of important buſineſs was interrupted, and the diſcontents of the nation were excited.

Inſtability of the king, and diſunion of his miniſters.

4. Under ſo many diſadvantages, one would have imagined, that internal union between the king and his miniſters muſt have appeared to be an object of the firſt conſequence. Through the whole courſe of this reign, however, this object ſeems to have been but little attended to, or at leaſt never to have been obtained. During the firſt and moſt peaceable period of his government, the king frequently departed from thoſe meaſures of which he had approved, in concert with his miniſters. The members of the cabal, ſelected for the proſecution of the moſt dangerous deſigns, were

were but partially intruſted with the king's ſecrets, and imperfectly informed concerning the buſineſs in which they were employed, either to adviſe or to aſſiſt him. After the diſſolution of the cabal, lord Danby, at the head of the treaſury, and lord Arlington, preſident of the council, watched every opportunity to undermine each other, and eſpouſed different opinions, upon queſtions relative to the public buſineſs. The new council, ſuggeſted as a healing meaſure, after the fall of lord Danby, was compoſed of perſons oppoſite in their ſentiments, and hoſtile to one another, from the remembrance of paſt injuries. Hence it ſoon appeared neceſſary to form a ſmaller combination of the council, in order to retain any decent degree of reſpect to miniſtry, or conſiſtency in their deciſions. Lords Eſſex, Sunderland, Halifax, and ſir William Temple, were, at firſt, unanimous in their ſentiments, and bore an aſcendency in the council[15]. They, however, ſoon differed in opinion about the bill of excluſion, and the diſſolution of the ſecond parliament. The precipitancy of the king, in taking meaſures both without, and contrary to the advice of the council, loſt him their confidence, and threw the influence of its principal leaders into the ſcale of oppoſition. Perſons high in office widely differed with reſpect to the plans which ought to be purſued, in order to avert the dangers with which the nation was threatened, by the ſucceſſion of a prince attached to the Roman catholic religion. Lord Shaftſbury and ſir William Temple, from different motives, oppoſed the expedients which the king offered inſtead of the bill of excluſion. The former, preſident of the council, was at the head of that party which propoſed an abſolute ex-

[15] Temple's Memoirs.

cluſion,

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cluſion, and expreſſed himſelf, in every ſtage of that debate, in terms highly diſreſpectful to the duke of York. Lord Halifax, at the ſame time in office, contended for the ſcheme of limitations upon a popiſh ſucceſſor. Lord Sunderland, ſecretary of ſtate, firſt adhered to lord Halifax's opinion, but afterwards changed it, and became the moſt ſtrenuous advocate for the bill of excluſion[16]. Such diſcordant ſentiments among the miniſtry and the council, in matters of the greateſt moment, betrayed evident ſymptoms of a feeble government, and of a declining prerogative; raiſed the ſpirit of the anti-courtiers; and urged them to more daring and more violent plans of aſſault. The verſatile diſpoſition of the king, exemplified in the preceding years of his reign, and his predominant love of eaſe, co-operated with all theſe cauſes, and impreſſed the minds of the country party with a full perſuaſion, that obſtinate and indefatigable perſeverance would finally enſure the accompliſhment of their deſigns, and the pre-eminence of their influence.

Great ſupport of oppoſition.

5. The favourers of the excluſion derived courage and boldneſs from the patronage of perſons of the firſt rank and influence, who had no oſtenſible obligation to interpoſe in the buſineſs of the nation, as well as from the abilities, the activity, and the intereſt of thoſe, who avowedly ſtood forth as the champion of their cauſe. The States of Holland ſent memorials to their agent in London, inſtructing him to intreat the king, in their name, to aſſent to the bill of excluſion. Such a partiality to the ſentiments of oppoſition, ultroneous and intruſive, was well underſtood to have been encouraged by the approbation, or even in the firſt inſtance ſuggeſted by the advice, of the

[16] Burnet. Reresby. Chandeler.

prince

prince of Orange'[17]. The desire of conferring an obligation upon a person, who, by the very measure he encouraged, was brought nearer to the crown, and the prospect of preferment and of reward flowing from his gratitude, could hardly fail to quicken the zeal, and to multiply the number of the exclusionists. The duchess of Portsmouth, flattered with the hope of raising her son, the duke of Richmond, to the throne, attempted by her charms to sooth, and by her importunity to constrain the king to comply with the desire of the nation, by excluding his brother from the accession'[18].

The abilities and influence of their leaders.

Among the champions of opposition to the court, the earl of Shaftsbury, the duke of Monmouth, and lord Russel, deserve to be particularly mentioned, on account of the great accession of strength which each of them brought to the cause he patronised. Of the abilities of lord Shaftsbury I have already spoken, and need not recount the advantages his party derived from the most ardent and indefatigable exertion of them. Though he was, in reality, the head or the leader of opposition, his discernment pointed out to him the propriety, as well as the advantage, of assigning to the duke of Monmouth the nominal precedency in the party he espoused. With Monmouth he formed the most intimate connection: to his promotion he professed to devote his talents. The pretensions which Monmouth assumed, and the address with which he managed them, inspired his party with boldness, and suggested the most flattering expectations of success[19]. He was master of all those qualities which seldom fail

[17] D'Avaux.
[18] Burnet.
[19] Echard. Reresby.

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to attract attachment, even upon slight acquaintance. His person was comely and well-proportioned: he excelled in feats of agility, which improve and display an external gracefulness, and by the affability of his conversation he won the affections of the people. More important qualifications recommended him as the fittest person to be placed at the head of the whigs, and to be set up as a rival in the succession to the throne. He professed a warm zeal for the protestant interest; he was beloved by the army, and popular in the city of London; he experienced the strongest testimonies of the king's partial affection; he was created a peer, made a privy counsellor, and promoted to the rank of commander in chief of his majesty's forces. A rumour was industriously spread, that Charles had been privately married to his mother, and that, by proximity of blood, he stood first in the line of succession[20]. From all these circumstances, men of sober reflection and prudent conduct considered Monmouth's succession to the throne as an event by no means improbable. Some were even persuaded, that by favouring his ambitious projects, they were gratifying the private wishes of the king; and that whatever he pretended, yet he secretly wished to find a plea in the necessity of his affairs, for sacrificing the interests of his brother to the dictates of fond affection to his son. The friends and the confidents of Monmouth cherished this delusion; they had the boldness to declare, that his succession would be acceptable to the king: they made use of it as an argument with the king of France, to prefer the connexion of the whigs, and co-operate with them in establishing the succession of Monmouth[21]. The duke of York, notwithstanding

[20] Reresby.

[21] Dalrymple, Ap. p. 280.

the

the ſtrong promiſes he received from his brother of adhering to the lineal ſucceſſion, beheld his attachment to Monmouth with painful anxiety[22]. The baniſhment and the diſmiſſion of Monmouth from all his offices; the repeated reſervations of the king in behalf of his brother, while he profeſſed his willingneſs to yield to every other expedient for ſecuring the proteſtant religion; the moſt ſolemn declaration in the privy council, that he never had been married to Monmouth's mother; were inſufficient to efface that combination of impreſſions which diſpoſed a great part of the nation to reſiſt the meaſures of the court.

The reſpectable character of lord Ruſſel, not leſs than the popular manners and ſpecious pretenſions of the duke of Monmouth, brought a mighty reinforcement of intereſt to the party with which he acted. There is hardly any ſituation in which virtue ceaſes to attract eſteem, or to be uſeful to the connexions of the perſon to whom it is aſcribed. There was not a perſon in the age in which he lived, more univerſally eſteemed than lord Ruſſel; his candour, his integrity, and his firmneſs, were applauded by every rank, and by every party. The verſatility and the violence of Shaftſbury might well excite ſuſpicion of the motives, which induced him to inliſt under the banner of oppoſition. If the capacity of Monmouth had been more extenſive, and his judgment more penetrating than they were admitted to be, yet the intereſt he had in defeating the eſtabliſhed courſe of ſucceſſion, was too obvious to give any farther weight to his political opinion, than what might be collected from arguments, which fell within the comprehenſion of every individual. But the great reputation of lord Ruſſel, his eſtabliſhed

[22] Life of James.

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credit for honour and for patriotism, invested his opinion with a high degree of authority, and biassed the inclinations of thousands of the most virtuous citizens. When it was observed that lord Russel was not merely accessory to the measures carried on against the court, but that he was the prime mover and most *active* agent in them; and that if ever he departed from that gentleness and moderation, which rendered him the favourite of all with whom he conversed, it was in the prosecution of his schemes of opposition to the court, his antagonists were staggered and discouraged, while his adherents were inspired with a consciousness of dignity and rectitude, which prepared them to submit to every difficulty and danger in support of the cause which he patronised. Thus, by the junction of various and even of opposite interests, and by the internal aid of persons most illustrious for abilities, for rank, and for virtue, the exclusionists were enabled to protract a struggle against the sovereign, which must have quickly come to an end, if it had been maintained by the unassisted influence of those who were actuated by interest, resentment, or the contracted spirit of a party.

The intrigues of France.

6. The intrigues of France contributed to exalt and to strengthen faction, to embarrass government, and to keep alive the tumults and internal dissensions of England, at the period we have reviewed. Lewis the fourteenth, instigated by an insatiable thirst for military glory, as soon as he received the reins of government into his own hands, began to execute those plans for the extension of his territories, which had been instilled into his mind with the first rudiments of his education[23]. The frontier towns in the low

[23] Colbert.

countries

countries adjacent to the borders of France, were the firſt obſtructions to be removed, in order to open a wide field for his warlike exploits. The frivolous complaints upon which he was to break with Holland, were not ſufficient to diſguiſe his ambition, ſo as to impoſe upon the underſtanding of Charles, who, upon that event, as Lewis foreſaw, would be called upon, by the ties of blood and the obligations of juſtice, as well as by the predominant inclinations of his people, to employ mediation and arms in behalf of his injured relation. The character and the circumſtances of the king of England ſuggeſted to his crafty neighbour another method for the ſecuring of his neutrality, or even for the obtaining his direct aſſiſtance, to ſubdue the States of Holland. Profuſion, uncontrolled by any principle, either of probity, or of honour, renders the influence of corruption irreſiſtible. A large penſion was offered by the king of France, to ſupply the neceſſities of Charles, and to retain him to his intereſt [24]. The perſonal ſolicitation of a ſiſter whom he loved, ſeemed to enhance the generoſity, or to palliate the indignity of the offer: the violation of the triple alliance and a ſecond Dutch war were the acknowledgment and return demanded of the king of England, for proſtituting his dignity, by becoming the penſioner of France. The general averſion of the nation to that war, the ſcanty ſupplies granted by parliament, and the increaſing diſcontents of his people, at laſt ſubdued the fortitude of Charles. He was compelled to abandon his connexion with France, and to conclude a peace with Holland.

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If Charles had adhered to the ſyſtem of politics which he then adopted, and fulfilled the en-

[24] Dalrymple, Ap. p. 14, &c.

gagements

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ments of the triple alliance, he would equally have conſulted his own honour and the intereſt of his kingdom; he would have been reſpectable in the eyes of foreign ſtates, and would have regained the affections of his people. His original partiality to France, cheriſhed by the influence of miſtreſſes and of corrupt miniſters, and the proſpect of enlarging his power, again rendered him an eaſy prey to the intrigues of Lewis. A political ſyſtem, ſo derogatory to their honour, and ſo repugnant to their affections, excited a general indignation among the people in England. The parliament caught their ſentiments and their ſpirit, to which they added a zeal for the church of England, endangered by the ſuſpected defection of

1670. the royal family, as well as by the alliance with the court of France. From this period, the humbling the power of that kingdom was purſued by the parliament with determined perſeverance, which had nearly attained its object, in ſpite of the open reſiſtance and double dealings of the court. This ſucceſs exhibited, to Lewis and to all ſurrounding ſtates, a diſplay of the power of the Engliſh parliament. United and firm, it could not fail to maintain the abſolute direction of the political ſyſtem of Europe. It was in vain for Lewis ever to hope for the aid of the Engliſh parliament, in contradiction to their declared ſentiments, and the moſt inveterate prejudices of the nation. What could he do? By diſuniting parliament, by gaining over to his intereſts the leaders of parties, by fomenting inteſtine diſcords, he might ſtill ſecure the neutrality of England, or render her incapable of impeding the career of his uſurpations on the continent. His agents were inſtructed to addreſs the popular leaders in England, by every argument calculated to flatter their principles, awaken their fears, allure their ambition,

tion, and captivate their avarice[25]. The king's thirſt for independent power, and his deſire of maintaining a ſtanding army, the inſtrument for the accompliſhment of it, were repreſented as ſerious grounds of alarm. Beneficial amendments in the conſtitution might be obtained, provided they ſo far kept meaſures with France as to prevent her interference, to ſecond the arbitrary views of Charles: money was ſcattered with a profuſe hand: the king and the country party were alternately the dupes of the intrigues of the French court, as beſt promoted her deſigns[26]. Charles and his parliament were divided: the honour of the Engliſh nation was tarniſhed; and its true intereſt neglected. If Charles and his parliament had not been led by the artifices of France to cheriſh the idea of a ſeparate and an incompatible intereſt, neither of them could have run into thoſe exceſſes which brought the conſtitution to the verge of ruin. If Charles had expected no ſupplies but from the liberality of his parliament, he never would have dared to purſue arbitrary meaſures, or to make innovations upon the conſtitution. If the leaders of the popular party had not been bound by engagements to France, they would not have withheld ſupplies for entering into a war which afforded the faireſt opportunities for controlling her power; they would not have made patriotiſm ſubſervient to private reſentment, by the proſecution of a mi-

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Obſervations.

[25] Novemb. 1677. Dalrymple, Ap. p. 129.

[26] Grey's Debates, vol. vii. Lords' Debates, vol. i. Pamphlets of the Times, particularly, *Fiat Juſtitia ruat mundus.* Dugdale's Reply. The Caſe put concerning the Succeſſion, by L'Eſtrange. A ſeaſonable Addreſs to both Houſes of Parliament, concerning the Succeſſion.

niſter

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niſter hoſtile to her intereſt; they would not have proceeded to that extremity of violence which again turned the affections of the nation, and armed the court with an authority which almoſt ſubverted the conſtitution.

At the ſame time, after a full inveſtigation of all the circumſtances which attended the connexion of the king and the popular leaders with the court of France, the engagements it involved, and the conſequences it produced, we cannot heſitate in deciding to which of theſe the greateſt proportion of guilt ought to be aſſigned. If the queſtion be put, Whether Charles or the country party purſued the true intereſt of the nation? the anſwer is obvious. The former wiſhed to render England dependent upon France, to change the conſtitution, to govern without parliaments. The country party were alarmed, and ſteadily oppoſed his deſigns; they were loyal to the king, but true to the conſtitution. Such were the original diſcriminating principles of Charles and the oppoſition; but when factions are once formed, they think themſelves juſtified in proceeding to extremes, becauſe their adverſaries do the ſame. Though under the influence of party ſpirit, wrong ſteps will be taken, ſtill, however, the original principle of conduct may be pure and reſpectable. The patriots, by connecting themſelves with Lewis, widened the breach between him and Charles. It is obvious, that Lewis never expected the ſame aſſiſtance from the leaders of oppoſition, which he expected from Charles; for his great object, even after he had intrigued with the whigs, was to prevent a meeting of parliament; and this was the caſe after oppoſition had degenerated into faction, in the third parliament: a plain evidence, that there

was

was so much patriotism still left among them, as to cause Lewis to distrust them, and to prove that their connexion with him was unnatural, and originated in a distrust of the steadiness, and a jealousy of the intentions of the king[27].

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[27] Dalrymple, Ap. passim; particularly p 297.

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FROM the diſſolution of the ſecond parliament of Charles, the terror of popery was the profeſſed principle, which actuated in every parliament the party in oppoſition to the court. The bill of ſecluſion was ſuggeſted at an early period, and pertinaciouſly adhered to, as the only meaſure by which the impending dangers of popery, and of arbitrary power, could be averted. Were the fears of the nation well founded? Was the remedy propoſed equitable, prudent, or even practicable; or did the method by which it was enforced promiſe ſucceſs, or prove conſiſtent with every duty of the man, the ſubject, and the citizen? According to the ſolution of theſe queſtions, we muſt form our opinions concerning the ſagacity, the patriotiſm, and the virtue, of individuals, and of parties, ſo far as relates to their public conduct.

Motives of oppoſition to the court.

In order to form a candid judgment of the morality of actions aſcribed to individuals, or to ſocieties, in ages or countries remote, it is neceſſary to pay a ſtrict regard to their peculiar ſituation, and to the predominant prejudices connected with it. Conſidering the formidable apprehenſions of the Roman catholic religion, which were excited by

by recent facts, and which pervaded all the reformed nations; the intrigues and the active ſpirit of jeſuits, ſurrounding the royal family; the avowed converſion of the next heir of the crown to popery; the notorious bias of many of the firſt rank to the ſame religion, and the ſuſpected faith of the king; it is not a matter of ſurpriſe, that fearful ſuſpicions haunted the imaginations of his proteſtant ſubjects, and diſpoſed them to liſten to rumours of plots, and of conſpiracies, imputed to the friends and emiſſaries of Rome. It requires no affectation nor ſtretch of candour to admit, that the people at large gave full credit to the plot. In proportion to the natural timidity of the mind, or the ſtrength of prejudice, perſons of more liberal education and rank are carried down with the torrent of popular deluſion. A tale often repeated, and familiar to the ear, loſes the abſurdities with which the firſt recital of it ſhocks the hearer; and, by fixing an indelible impreſſion upon the imagination, at laſt diſtorts the judgment. Faith is fortified by the aſſociation of numbers, and the indolent acquieſce in univerſal credit, as a ſolid anſwer to objections, which would have been ſufficient to have overthrown opinions leſs popular. In a free government, men of a factious ſpirit firſt cheriſh the weakneſſes and the prejudices of the people, and afterwards employ them, as the fitteſt engines to promote their corrupt views of gain and power. There are many perſons, by no means actively and corruptly ambitious, who are yet deſtitute of fortitude to reſiſt thoſe meaſures and thoſe prejudices of which they diſapprove; nay, rather than forego the tranquillity they have derived from their ſilence and neutrality, they at laſt make the tranſition to an open concurrence with the iniquity of the times. It is not to be doubted, that, from theſe ſiniſter motives, the fears of the people were encouraged,

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encouraged, their paſſions inflamed, informers courted, witneſſes tampered with and ſuborned, and innocent blood ſhed, with that profuſion and wantonneſs, which never could have flowed from a conſcientious, though a greatly deluded, zeal.

But ſuppoſing that no popiſh plot had exiſted, or entered into the imagination of the people, yet, had not the friends of the proteſtant intereſt ſolid grounds of jealouſy and terror? Was not the danger, ariſing from the influence of a popiſh ſucceſſor, obvious to every unprejudiced eye, and alarming to every true friend of the eſtabliſhed religion and government? Did not the love of liberty conſpire with religious principle, to recommend every precaution and expedient that was attainable, in order to preſerve inviolate, thoſe ſacred and thoſe civil privileges which conſtituted the glorious pre-eminence of an Engliſhman?

Bill of excluſion.

The bill of excluſion appeared the moſt effectual remedy to defend the aſſociated intereſts of liberty and the proteſtant religion: it was therefore adopted with zeal by the commons, applauded by the great body of the people, and inſiſted upon with obſtinacy, in defiance of the ſecret intrigues, and the open entreaties and remonſtrances of the prince.

A review of the arguments adduced on both ſides of this queſtion, by far the moſt intereſting that occurs in the courſe of this reign, is neceſſary, in order to attain to a clear and comprehenſive view of the ſtate of politics and of the character of parties.

Arguments for it.

On the one ſide it was pleaded, that dangers extreme and unprecedented, called for new and extraordinary meaſures of defence. Was it poſſible that any man could be ſo blind, as not to apprehend the utmoſt danger to liberty and to the proteſtant religion, from the ſucceſſion of a prince devoted

devoted to the faith of the court of Rome? Nothing but an overgrown pitch of zeal and of bigotry could account for the temerity of the duke York, in venturing to make an open profeſſion of this religion at ſo critical a conjuncture, and at the hazard of being hereafter excluded from the ſucceſſion to the crown. What activity might not be expected from ſuch zeal, and what ſucceſs might not activity, armed with power, be able to atchieve? What was to be expected, but that the royal favours would be regulated and diſpenſed by the dictates of a miſguided conſcience; and that the bench, the navy, and the army, would be quickly filled with proſelytes to the Roman catholic faith; nor would the members of the eccleſiaſtical eſtabliſhment remain uncontaminated. If thoſe who held the moſt dignified offices in the church were little alarmed about the fate of their religion; if they were more than other men obſequious to the will of the court; if they had hitherto afforded the moſt ſteady ſupport to the intereſt of the duke of York; was it not a melancholy preſage of a complaiſance, which might one day ſurrender the eſſential rights and privileges of the proteſtant church? Nor was it to be doubted, but that under the auſpices of a Roman catholic prince, new members would obtrude into the ſacred function, with the treacherous purpoſe of ſubverting that very intereſt which they ſolemnly engaged to protect. Under a popiſh prince, his favourite religion muſt every day be gaining ground. But ancient and modern hiſtory exhibited ſufficient examples to prove, that the religion of the prince ſoon became the religion of the people. In the ſhort period of the reign of Julian, the churches were demoliſhed, the temples aroſe with renewed ſplendour, and were repleniſhed with images. Chriſtianity declined apace, and the darkneſs of idolatry

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try again overſhadowed the nations. While the Roman empire was agitated with the Trinitarian controverſy, with what ſtrange flexibility did multitudes, in obedience to the imperial edicts, turn from Athanaſianiſm to Arianiſm, and from Arianiſm to Athanaſianiſm? More recent and domeſtic examples led to the ſame concluſions. Upon the ſucceſſion of queen Mary, biſhops, privy counſellors, and many of every rank, avowed her religion, who had paſſed for ſound proteſtants in the reign of Edward the ſixth. Upon the death of Mary, and the acceſſion of a proteſtant princeſs, an inverted revolution of religious ſentiments took place.

New converts to every religion have always been found moſt eager and moſt induſtrious to progagate their favourite opinions. Where a prince had imbibed the principles of the Roman religion from the prejudices of an early education, natural mildneſs of temper might perchance check its violent and intolerant ſpirit. Various occupations and amuſements might divert the mind from yielding to the peculiar tendencies of the faith with which it was impreſſed: but, when a perſon born a proteſtant, had voluntarily made choice of the Roman religion, was not this a certain indication of a temper congenial with its ſpirit? What was to be expected, but that ſuch a one would entirely ſurrender his mind to every impreſſion, and to every tendency it was formed to promote; and, as far as his influence extended, advance them with implicit zeal?

It was impoſſible, it was argued, that any expedients, deviſed by human wiſdom, could guard againſt ſuch manifold and ſuch preſſing dangers. Like the cords of the Philiſtines, quickly broken by the returning ſtrength of the Jewiſh champion, all limitations and reſtrictions, whatever might be expected

expected from them at a distance, would disappear at the touch of the royal sceptre: nor could the most solemn promises and asseverations be relied upon, when pronounced by the same lips, and subscribed by the same hand, which assigned the supreme head of the church the power of dispensing with moral obligation; and even held it a meritorious deed to break faith with heretics. Whatever obedience the prince exacted from his own subjects, he would think himself bound to yield to the spiritual sovereign, to whom he had voluntarily devoted himself. The temper, the dispositions, and the wisdom of the prince, however superior they might be, could be of no avail to his subjects. The pope, the sovereign of the sovereign, would rule with absolute sway in the councils of the English cabinet.

There was no occasion to resort to foreign history for examples of the melancholy effects of superstitious tyranny upon the minds of its royal votaries. In the annals of the British story, there is not an example of conduct more disgraceful to royalty, than that of queen Mary to the men of Suffolk. Did not she solemnly promise, that they should enjoy the free exercise of their religion? They too easily believed her, and became the chief instruments of seating her upon the throne. Faith and gratitude were violated: the pangs of remorse and the struggles of honour were extinguished, by the stern dictates of priestly authority; and the first exertions of her power were displayed, by consigning to the flames the very men who had conferred it. The gunpowder plot, the massacres in Paris and in Ireland, were tremendous evidences of a spirit of violence, which no ties, neither sacred nor civil, were sufficient to fetter or to tame.

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Precedents of law were not wanting to juſtify a meaſure recommended by reaſon, neceſſity, and fear. The right of Henry the fourth was entirely founded upon an act of parliament: the right of Henry the ſeventh was alſo eſtabliſhed by an act of parliament: and did not his ſon Henry the eighth virtually acknowledge, that the power of altering the ſucceſſion was veſted in parliament, when he applied for a ſtatute, as often as his fickle affections led him to change the ſucceſſion of the crown? In the firſt year of queen Elizabeth, parliament recognized her title. Did they not repeatedly extend their authority to the future ſucceſſion, by enacting, that whoſoever ſhould claim their title to the crown during the life of Elizabeth, ſhould be rendered incapable of ſucceeding to it?

To thoſe, who had embarked on the ſide of excluſion, there appeared no ſafety but in ſucceſs. They were in a ſituation like that of an army which had penetrated far into an enemy's territories, and were encompaſſed with barbarians, who knew not what it was either to give or to take quarter. Their own deſtruction, or the deſtruction of the enemy, were the only alternatives left to their choice. By promoting the bill, they had provoked the vengeance of the duke of York; and ſhould they fail of ſucceſs, they muſt finally experience the full weight of that power which they wiſhed to annihilate[1].

Arguments againſt it.

On the other ſide it was argued:—We are not to judge of the wiſdom of any meaſure by the im-

[1] Grey's Debates, vol. vii. Lords Debates, vol. i. Pamphlets of the Times, particularly Lord Delamer's Speech. Brief Hiſtory of the Succeſſion. Vindication of the two laſt Parliaments. Somers' Collection, vol. i. Reaſons for his Majeſty's paſſing the Bill of Excluſion, ibid. &c. &c.

portance

portance of the end which it propoſes, or even by its fitneſs to obtain that end. A previous queſtion occurs: Is the meaſure itſelf attainable? are there no intervening difficulties to diſcourage the hope of compaſſing that event, which appears ſo fair when contemplated in connection with remoter conſequences? The object of the bill, the ſecurity of liberty and the proteſtant religion, an object in itſelf great and deſirable, had led many to be advocates for the bill of excluſion, without conſidering the difficulties which obſtructed the execution of it. But many political projects involve ſuch inherent weakneſs as endangers their execution and ſucceſs, though fortified with all the forms and ſanctions of the law. This muſt ever be the caſe while the ſpirit of them runs contrary to juſtice, humanity, or the prejudices of the people. CHAP. V.

Was it juſt to deprive the meaneſt ſubject of his birth-right, merely on account of opinions formed after a deliberate and conſcientious enquiry? Could one who was ſo honeſt as to avow his faith, at the hazard of loſing his crown, be ſuſpected of being deficient in the fundamental principles of truth and of probity? Might not limitations and reſtrictions, confirmed by the oath or the promiſe of ſuch a one, be relied upon, as affording a ſecurity more firm and more ſafe than what could be obtained by the mere letter of an act of parliament? However commendable the zeal of the excluſioniſts might be, yet it certainly had tranſported them too far, when they ſought to violate the eſſential principles of juſtice. The refined ſophiſtry of Loyala never invented a more execrable maxim than that, by which too many of the leading patriots ſeemed to juſtify their political conduct—that evil ought to be done for the ſake of good; or that the pretended importance of the end could atone for the baſeneſs of the means by

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which it was to be procured. *Ruat cœlum, fiat juſtitia*; the right of the duke of York came from God; and to his providence alone it belonged to control and to puniſh the abuſe of that right.

How much would it tend to the peace of empires, if chriſtians could be perſuaded to form their ſentiments according to the original precepts, and the pureſt examples of their religion? Subjection to the powers that be, is the calm inoffenſive temper of the followers of a Maſter, whoſe kingdom is not of this world. However important the tenets of the reformation, yet they cannot claim a preference to the fundamental doctrines of the Goſpel; nay, they muſt derive all their value from their conformity to them. Nor is it poſſible that the multiplied and various ſects of chriſtians, when compared among themſelves, can exhibit a greater oppoſition of ſyſtem and of policy, than that which ſubſiſted between idolaters and the worſhippers of the true God. Yet did ever chriſtians aſſert, that idolatry, the moſt groſs and the moſt pernicious of all hereſies, was a juſtifiable pretext for withdrawing allegiance, or relaxing obligations of obedience to the reigning prince? The apoſtate Julian repealed thoſe edicts which inveſted chriſtians with a legal claim to many valuable immunities. The chriſtians lamented their calamities, and waited with patience for the interpoſition of a benign providence, becauſe redreſs or deliverance obtained by their own hands, through breach of loyalty, was unwarrantable by the laws of their religion.

While the faith of different emperors, and ſometimes in the ſame emperor, wavered between arianiſm and athanaſianiſm, and alternately favoured the one and perſecuted the other; arians and trinitarians divided among themſelves, and diſſenting from

from the religious opinions of the prince, harmoniouſly coincided in the doctrine of allegiance to his perſon.

It was contended, that great reſpect ought to be paid to the prejudices of their fellow-ſubjects, by avoiding the legal declaration which contradicted the predominant ſentiments of the people. Faction, it was true, had produced a fleeting influence upon the opinions of the multitude. Excluſion was the clamour of the day: but ſtill it was well known, that notions of prerogative ran high among men of the greateſt weight and authority. From theſe the ſentiments of the multitude muſt take their fixed and laſting impreſſion. Suppoſing that the united aſſent of the king, lords, and commons, ſhould be admitted, as authority ſufficient to bind the ſentiments of the people, yet after the averſion to the bill, ſo often expreſſed by the king, his aſſent could only be the effect of compulſion, which would render the act void and ineffectual, to enforce the ſubmiſſion of that part of his ſubjects, who, from other conſiderations, did not view it with a favourable eye. The acts of parliament of the fifteenth of Edward the third, and of the tenth of Richard the ſecond, were repealed, becauſe the king's conſent to them was forced. Edward the fourth, Henry the ſeventh, queen Mary, queen Elizabeth, and king James the firſt, enjoyed the crown, though all of them were excluded by acts of parliament.

Suppoſing that England ſhould unanimouſly accept the excluſion, it was probable, or indeed certain, that it muſt meet with oppoſition from Scotland and from Ireland. Was there not evident danger of rending and of dividing the different provinces of the empire? Of all national calamities, a civil war is the moſt deſtructive and the moſt deplorable. A controverted ſucceſſion, and

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a civil war, are events combined and inſeparable. The uſurpation of Harold produced the Norman conqueſt: the conteſts between the houſes of York and Lancaſter were attended with the moſt tragical events that occur in the hiſtory of England: the richeſt provinces became deſolate and uninhabited; many hundred thouſands of the commons fell by violent hands; the nobility were extirpated. Could the uncontrolled tyranny of Rome be productive of more fatal diſaſters? Who can tell, if England, in ſuch a criſis, ſhall be reſerved for the evils ariſing from internal war among her own children! May not the zeal of Roman catholic princes engage them in a quarrel, and introduce devaſtation and blood by foreign hands? The vigilance of France to graſp at every opportunity of extending her power, and her attachment to the duke of York, rendered her interference certain. May not a jealouſy of the infringement of prerogative, dearer to them than their religion itſelf, render even proteſtant princes indifferent ſpectators of the miſeries of England; or diſpoſe them to lend their aid to diſcourage a precedent which, one day, upon maxims equally popular and convenient, might be turned againſt themſelves, and employed to limit their power and to degrade their poſterity?

The members of parliament, who affected ſuch zeal for liberty, were deſired to attend with caution to the line of duty, and the reſtrictions of power which the law had preſcribed to them. They are appointed guardians of the eſtabliſhed government: they may introduce improvements in the ſpirit of the conſtitution, while the eſſential parts of it are maintained ſound and entire. While the foundation ſtands firm, they may be permitted to embelliſh the ſuperſtructure, and to render it more commodious; but to alter the

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common courſe of the ſucceſſion to the crown, was to offer violence to the eſſentials, and lay in ruin the pillars upon which the whole fabric of our conſtitution was erected. It was to change the conſtitution from an hereditary to an elective monarchy.

It required no deep ingenuity to reply to the precedents and the ſtatutes of former reigns cited by the excluſioniſts, and even to uſe them as arguments againſt that cauſe which they were intended to ſuſtain. The conſciouſneſs of a defective right had induced princes to apply for a recognition of parliament, and to ſubſtitute law in the place of equity. Henry the fourth was an uſurper, and was deſirous of juſtifying his claim by the authority of a ſtatute, becauſe he knew of no other baſis upon which it could ſtand. A ſtatute of parliament had declared the marriage of Henry the eighth and Ann Bullen null and void, and conſequently involved the illegitimacy of Elizabeth; it was therefore prudent and unneceſſary to undo by parliament what had been done by parliament, and to remove, by a formal recognition, every objection to the title of that princeſs. The ſtatute of the thirtieth of Elizabeth, diſabling the next ſucceſſor who ſhould inſiſt upon his title to the crown during the life of the queen, originated in jealouſy, and terminated in oppreſſion. It was intended to intimidate and to overawe thoſe, who were inclined to ſupport the pretenſions of the unfortunate queen Mary, and to bring home the charge of guilt againſt her; and thereby draw the ſpecious veil of law and of juſtice over the darkeſt tranſaction that ſtains the memory of Elizabeth.

Let the example of Elizabeth, in reference to the very point in diſpute, be remembered: How did ſhe frown upon parliament as often as they preſumed to enter upon the affair of the ſucceſſion,

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a civil war, are events combined and inſeparable. The uſurpation of Harold produced the Norman conqueſt: the conteſts between the houſes of York and Lancaſter were attended with the moſt tragical events that occur in the hiſtory of England: the richeſt provinces became deſolate and uninhabited; many hundred thouſands of the commons fell by violent hands; the nobility were extirpated. Could the uncontrolled tyranny of Rome be productive of more fatal diſaſters? Who can tell, if England, in ſuch a criſis, ſhall be reſerved for the evils ariſing from internal war among her own children! May not the zeal of Roman catholic princes engage them in a quarrel, and introduce devaſtation and blood by foreign hands? The vigilance of France to graſp at every opportunity of extending her power, and her attachment to the duke of York, rendered her interference certain. May not a jealouſy of the infringement of prerogative, dearer to them than their religion itſelf, render even proteſtant princes indifferent ſpectators of the miſeries of England; or diſpoſe them to lend their aid to diſcourage a precedent which, one day, upon maxims equally popular and convenient, might be turned againſt themſelves, and employed to limit their power and to degrade their poſterity?

The members of parliament, who affected ſuch zeal for liberty, were deſired to attend with caution to the line of duty, and the reſtrictions of power which the law had preſcribed to them. They are appointed guardians of the eſtabliſhed government: they may introduce improvements in the ſpirit of the conſtitution, while the eſſential parts of it are maintained ſound and entire. While the foundation ſtands firm, they may be permitted to embelliſh the ſuperſtructure, and to render it more commodious; but to alter the

common

common courſe of the ſucceſſion to the crown, was to offer violence to the eſſentials, and lay in ruin the pillars upon which the whole fabric of our conſtitution was erected. It was to change the conſtitution from an hereditary to an elective monarchy.

It required no deep ingenuity to reply to the precedents and the ſtatutes of former reigns cited by the excluſioniſts, and even to uſe them as arguments againſt that cauſe which they were intended to ſuſtain. The conſciouſneſs of a defective right had induced princes to apply for a recognition of parliament, and to ſubſtitute law in the place of equity. Henry the fourth was an uſurper, and was deſirous of juſtifying his claim by the authority of a ſtatute, becauſe he knew of no other baſis upon which it could ſtand. A ſtatute of parliament had declared the marriage of Henry the eighth and Ann Bullen null and void, and conſequently involved the illegitimacy of Elizabeth; it was therefore prudent and unneceſſary to undo by parliament what had been done by parliament, and to remove, by a formal recognition, every objection to the title of that princeſs. The ſtatute of the thirtieth of Elizabeth, diſabling the next ſucceſſor who ſhould inſiſt upon his title to the crown during the life of the queen, originated in jealouſy, and terminated in oppreſſion. It was intended to intimidate and to overawe thoſe, who were inclined to ſupport the pretenſions of the unfortunate queen Mary, and to bring home the charge of guilt againſt her; and thereby draw the ſpecious veil of law and of juſtice over the darkeſt tranſaction that ſtains the memory of Elizabeth.

Let the example of Elizabeth, in reference to the very point in diſpute, be remembered: How did ſhe frown upon parliament as often as they preſumed to enter upon the affair of the ſucceſſion,

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ceſſion, or upon any point touching her prerogative; which ſhe ſtyled the chief flower in her garland?

It was recommended to the excluſioniſts, to take care that they did not exemplify in their own conduct, what they profeſſed to fear and to avoid; while, by their own violence, they adopted the ſpirit and purſued the conduct of Roman catholics. The depoſing of princes on account of their religion, the alienating their dominions, and the abſolving their ſubjects from their oath of allegiance, were the moſt inſolent and the moſt deſtructive acts of tyranny to which the court of Rome had ever aſpired. And would a proteſtant parliament tread in the paths of injuſtice, and, without the name, diſplay the tyrannical and malignant ſpirit of Roman catholics?

They were conjured, as they profeſſed a regard to the honour of the proteſtant religion, to revere the ſacred nature of an oath. What but jeſuitical caſuiſtry could reconcile the conduct of the excluſioniſts to the oath of allegiance, by which they became bound to be faithful to the king, and to his lawful heirs and ſucceſſors?

Let the ſpirit of the conſtitution be regarded. To condemn a man unheard, was an uſage unknown to the Engliſh law; and yet, by the excluſion, it was propoſed, without any impeachment, without any evidence, to deprive a perſon of that regal authority, and of thoſe exalted honours, to which his birth, as well as the laws of his country, gave him an undiſputed title.

It was finally objected to the bill, that its object was of too perſonal a nature. Inſtead of excluding all heirs whatever, of the popiſh religion, from inheriting and wearing the crown of England, it was levelled only againſt James duke of York, whether he ſhould be a proteſtant or a papiſt at the

the time of the king's death. This procedure appeared to be the effect of private malice and revenge againſt the duke from individuals who had gone too far to retract, and imagined that their ſafety was endangered ſhould he aſcend the throne, rather than of any diſintereſted plan of ſecuring the proteſtant religion againſt the inſidious deſigns of a popiſh ſucceſſor[z].

After a calm review of the arguments now detailed, it appears by no means eaſy to decide, with which of the parties the ſtrength of the argument lies. When any meaſure implies a flagrant violation of reaſon or of juſtice, we are warranted, without any breach of candour, to aſcribe it to the ſiniſter influence of party, to motives of ambition, reſentment, or popularity. But at a period remote from the heat of faction, where the advantages and the dangers appear ſo equally balanced, we may fairly give the credit of wiſdom, and the praiſe of patriotiſm, to thoſe who divided in opinion with reſpect to the queſtion of the excluſion.

Reflections upon the conduct of oppoſition in the preceding period.

There were other meaſures purſued by oppoſition in the three laſt parliaments of Charles, the motives of which appear doubtful, and ſome of them carry the plaineſt ſymptoms of a factious and turbulent ſpirit.

The ſanguinary violence with which ſucceeding parliaments proſecuted the diſcovery of the plot, their partiality to the evidence of the moſt infamous witneſſes, the artifices by which they propagated ſuſpicions againſt the innocent, and exaggerated the fears of a credulous multitude, have un-

[z] Grey's Debates, vol. iii. Lords Debates, vol. i. Pamphlets of the Times, particularly *Fiat Juſtitia ruat mundus*. Dugdale's Reply. The Caſe put concerning the Succeſſion, by L'Eſtrange. A ſeaſonable Addreſs to both Houſes of Parliament concerning the Succeſſion.

fortunately

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fortunately enabled the enemies of the proteſtant religion to charge it with acts of cruelty, but little inferior to thoſe atrocious deeds which ſtain the hiſtory of the papal inquiſition.

The aſſociation bill, by which the members of both houſes became bound to avenge the king's death, if that event ſhould happen, upon the adherents to the Roman catholic religion, was a palpable act of injuſtice, inaſmuch as it aſſumed for certain an event which was contingent, and laid the foundation of arbitrary and of ill-founded crimination. Under the maſk of loyalty, it provoked danger from a new quarter; it proclaimed impunity to the proteſtant aſſaſſin, and ſuggeſted to the bloody enthuſiaſt a ſafe method, for the ſatiating of his vengeance againſt that ſect, which he hated and wiſhed to extirpate.

If the commons had omitted to declare the right of the ſubject to petition the throne, after that right had been diſcouraged by the frowns and prohibited by the proclamation of the king, they might have been accuſed of a breach of truſt with reſpect to the moſt important intereſts of their conſtituents. If not ſatisfied with aſcertaining this right, they had confined their inquiries and their cenſures merely to their own members who had voted againſt the petitions, they might have appeared to unprejudiced ſpectators to have kept within the tract of a legal and temperate juriſdiction. But when they denounced vengeance againſt perſons who had not been guilty of any breach of privilege, when they ſent their meſſengers into remote parts of the country to apprehend perſons of a private ſtation, who, by fair argument, and by an open and avowed declaration of their principles, had oppoſed the late petitions, they treſpaſſed upon the laws of moderation and of decency, and afforded their enemies too ſolid ground for retorting

torting the reproach of that arbitrary ſpirit which they aſcribed to the court. CHAP V.

The reſolutions of the commons, formed in oppoſition to the judgment given by the lords, with regard to the right of biſhops to vote in caſes of life and death, has been cenſured as an intruſion upon the juriſdiction of another court. If, however, any great national object had been at ſtake, the importance of the end, and the purity of the motive, might have palliated the error of a new and overſtrained exertion of power; but when we trace this meaſure to the aſſociated reſentment of France, and of the country party, bent upon the deſtruction of a fallen miniſter, how mean and diſgraceful does their conduct appear!

The zeal of the commons to reſcue Fitzharris from a proſecution, already commenced againſt him in the courts of law, is not only liable to the ſame cenſure, as being a preſumptuous interference with the eſtabliſhed, conſtitutional forms of juſtice, but alſo tending to ſtrengthen the ſuſpicion of their having formed a deſign of employing him as the tool of corruption, beſt adapted to diſturb the tranquillity of government.

If the conduct of the country party in the reign of Charles the ſecond had appeared in every view unexceptionable, or even meritorious in the eye of an unprejudiced ſpectator, who lived at that period, and formed his opinion from ſuch circumſtances as fell under his own immediate obſervation, yet the moſt candid in our own time, who have had an opportunity of attending to the additional information, and the evidence fairly collected from records which have been lately inſpected, cannot fail to ſubmit, however reluctantly, to this concluſion, that baſe and mercenary motives ſwayed the conduct of many who ſtood in oppoſition to the court, and were enrolled in the liſt of patriots.

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patriots. Candour may diſpoſe us to ſuſpend our deciſion with reſpect to the guilt of individuals; nor is it conſiſtent with its dictates, to blot, with the pen of a profligate ambaſſador, the names of illuſtrious perſons, who were never even ſuſpected of a baſe or an unworthy action[3]. But ſtill, neither

[3] Though the fact be admitted, that the money of France was accepted by many of the whigs as the fee of oppoſition to the court, yet there is ſtrong reaſon to doubt, whether the guilt really extended to all who have been charged with it. In the liſt of French penſioners, publiſhed by ſir John Dalrymple, we find the names of Hambden and Sydney. Dalrymple, Ap. p. 315-316.

The opinion of cotepormaries was extremely favourable to the characters of Hambden and Sydney. The latter was univerſally eſteemed for integrity and honour; the French ambaſſador himſelf gives him credit for theſe virtues.

The character of Barillon, the French ambaſſador, who diſburſed the French penſions, was in no view reſpectable; he was poor when he came from France into England, and returned rich to his own country. This circumſtance alone naturally excites a ſuſpicion, that he appropriated, to his own uſe, ſome part of that money which he receveid for diſpenſing bribes among the Engliſh members of parliament. It was neceſſary, however, that he ſhould produce ſuch a ſtate of his accounts, as would make his receipts and diſburſements correſpond. He was in this view under a manifeſt temptation, to put down the names of perſons who did not really receive money from him; a fraud was not likely to be inveſtigated or detected. As Sydney and Hambden intrigued with him to prevent England from entering into a war with France, it would be more eaſily believed that they accepted of money, as a compenſation for their ſervices. When theſe circumſtances are candidly conſidered, and the characters of Sydney and Barillon compared, it ſeems far more probable that the latter would maintain a falſehood, than that the former would receive the wages of corruption.

The late diſcovery of this tranſaction is a circumſtance whiuh invalidates its authority. The trial of Sydney was particularly cited after the revolution, as an example of the violence and ſeverity of government in the reign of Charles the ſecond, and as an indelible aſperſion upon the character of the duke of York; who had, at that period, a principal ſway in the adminiſtration of affairs. Both Lewis and James were abundantly diſpoſed to make known every tranſaction and circumſtance, tending to calumniate

ther the fact itſelf, nor the concluſion drawn from it, can be evaded. The money of France was profuſely diſtributed among the members of the country party, and deep corruption muſt have ſomewhere exiſted among thoſe who derived aſſiſtance from ſuch baſe and ſuch criminal means.

lumniate the memory of the patriots. It is not eaſy to conceive how a circumſtance, ſo material to ſtain the character of Sydney, ſhould have eſcaped the knowledge of James, when he reſided at the court of France; or, if it did come to his knowledge, how he ſhould have omitted to mention it in his Life.

To the character of lord Ruſſel, Barillon himſelf gives the following teſtimony: "That when he was ready to diſtribute a "conſiderable ſum in the parliament, to prevail with it to refuſe "any money for the war with France, and ſolicited him to name "the perſons that might be gained, lord Ruſſel replied, that he "ſhould be ſorry to have any commerce with perſons capable of "being gained by money;" and he adds, what indeed throws a true light upon that myſterious intercourſe which ſubſiſted between the patriots and the French agents, "that lord Ruſſel was "pleaſed to ſee that there was no private underſtanding between "Lewis and the king of England to hurt their conſtitution; Dalrymple, Ap. p. 133.

Lord Ruſſel was the intimate friend of Sydney, and aſſociated with him in political councils. Is it probable, that he would have given his friendſhip and confidence to a man who received five hundred guineas as a bribe from France; or, that ſuch a circumſtance, if true, ſhould have eſcaped his notice? See Introduction to Lady Ruſſel's Letters.

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The Influence of Oppoſition declines.—Cauſes of this.—Charles enters into a new Treaty with France.—Remains neutral while Lewis breaks the Peace of Nimiguen.—Barillon intrigues with the Leaders of Oppoſition.—The Intereſt of the Duke of York revives.—Influence of the Whigs in the City of London.—Attempts of the Court to gain the Election of the Sheriffs in the City.—Violent Meaſures for that End.—Quo Warrantos.—Timidity and Submiſſion of the People.—Detection of a Conſpiracy—ruinous to the Whigs.—The Court triumphant.----Death and Character of Charles.----Reflections.

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1681. The influence of oppoſition declines.

FROM the diſſolution of the laſt parliament of Charles, the influence of oppoſition began to decline, and at laſt ſunk, almoſt without any hope of a revival, under the triumphant power of the crown. The cauſes which contributed to this event were many and obvious.

Cauſes of this.

The more ſober part of the nation, ſatiated with the profuſion of blood, ſhed in proſecution of thoſe who were ſuſpected of the popiſh plot, began now to repent of the cruelties into which they had been precipitated. They revolted with indignation from thoſe perſons who had abuſed their confidence and zeal, by rendering them ſubſervient to their private ſchemes of ambition and of reſentment. The natural feelings of the man, though their action may be ſuſpended by the tranſient prevalence of paſſion, will ever and anon recur, and no political ſyſtem, erected in oppoſition to them, will be attended with ſucceſs.

The

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The heat and ferment with which the nation was agitated during the canvas for elections, and while queſtions, which affected the intereſt of parties, were depending in parliament, appeared to many a more intolerable grievance, than the worſt effects they had experienced from the arbitrary exertions of prerogative.

The unexpected firmneſs of the king, in adhering to his brother, diſcouraged the timid, while the conceſſions he offered with apparent ſymptoms of ſincerity, gained upon the moderate part of the nation. The character of Charles for good nature, and the point of affection, the only thing he refuſed to yield to the importunity of the commons, excited the ſympathy and compaſſion of many, who ſtood unconnected with either of the contending parties. Royalty ſeemed to be fallen into a lamentable condition, when the king condeſcended to appeal to the humanity and reaſon of his people; and to implore their mediation, to compoſe thoſe diſputes which embroiled the nation, and deprived him of their confidence and of domeſtic repoſe. Immediately after the diſſolution of the Oxford parliament, a declaration was publiſhed in the name of the king, complaining of the inſolent and factious ſpirit of the three preceding parliaments, and retorting upon them thoſe violations of law and juſtice, with which they arraigned the court[1]. The inſinuating ſtyle of this declaration, the fairneſs it profeſſed, and the very circumſtance of the time of reading it, after public worſhip, when the minds of the audience were ſoftened by devotion, and prepared by exhortations favourable to its influence, produced a ſudden and powerful effect, in gaining over proſelytes to the royal party; 8th April.

[1] State Tracts, Temp. Car. vol. ii.

and

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and in diſſeminating unfavourable prejudices againſt their opponents[2].

The ableſt and the moſt ſteady partizans of oppoſition loſt much of their authority, when deprived of parliamentary pre-eminence, and reduced to the level of private citizens. Nor was it to be expected, that, in a ſolitary and diſperſed ſituation, they could maintain that ardour of patriotiſm and that boldneſs of deſign, which had been cheriſhed and invigorated by the ſympathy and applauſe of a congenial multitude.

Want of ſucceſs is often imputed as demerit to the political adventurer. When the members of parliament returned to their conſtituents without the fruits they had promiſed, they were expoſed to cenſure for their temerity and confidence, in having excited expectations which they were unable to gratify. Had they acted with greater moderation and prudence, they might have procured ſome ſolid and laſting advantage to the conſtitution; but now they had left it in a worſe condition, than that in which they had found it[3]. Before contending armies have come to action, the ſurrounding multitudes prudently wiſh to maintain a neutrality: but the moment victory has declared itſelf, they precipitantly ruſh to the triumphant ſtandard. The late ſtruggles of parliament, however oſtentatious and ſpirited, now baffled and diſappointed, only ſerved to augment the power and triumph of the crown. Addreſſes, of congratulation, and of thanks, to the king for diſmiſſing his parliament, were preſented by many of the counties and corporations, not excepting thoſe, which had ſhown the moſt forward zeal in ſupporting the excluſion[4].

[2] Echard.
[3] Periodical Publications.
[4] Ralph, vol. i. p. 592. Somers, vol. vii. p. 328.

Meanwhile,

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1681.

Charles enters into a new treaty with France. 1ſt April.

Meanwhile, another treaty with France adminiſtered ſubſiſtence to the Engliſh monarch, and was requited by the neutrality, with which Charles, regardleſs of his engagements to Spain, beheld the uſurpations of Lewis upon the continent[5]. The peace of Nimiguen afforded but a tranſient hope of tranquillity to the parties, whoſe intereſts it had been intended to protect, and the very diſcuſſion of the terms upon which it had been formed, added new evidences of the treacherous artifice and reſtleſs ambition of Lewis[6]. His commiſſioners, who met with thoſe of the allies at Cambray after the peace, in order finally to regulate all the diſputes about limitations, brought forward, under the vague title of dependencies, the moſt extravagant claims upon Spain and upon the Emperor[7]. Military

[5] This treaty was tranſacted on the 1ſt April 1681, and was not even committed to writing. The terms of it were, that Charles ſhould diſengage himſelf from the alliance with Spain: that he ſhould either not call a parliament, or prevent it from taking any meaſures againſt France: that he ſhould receive a penſion of two millions of crowns from France for one year, and five hundred thouſand for two years after. Dalrymple, Ap. p. 301. This ſeems to be the ſame treaty which is mentioned in the Life of James 1681. Extract vii. though the terms of it are repreſented as ſomewhat different.

[6] Reflexions ſur la Regne de Louis XIV. p. 181-2.

[7] France claimed the greateſt part of the dutchy of Luxemburgh, as belonging to the dutchy of Mentz: ſhe demanded Chinay from Spain with all its dependencies; under the ſame indefinite title ſhe claimed Alſace and Little Brabant: ſhe claimed Straſburg as the capital of Alſace, and prevailed upon the magiſtrates, by bribery, to deliver it into her hands on the 30th September 1681. Thus, when the claim of right was confuted, by obſerving that Straſburg had been excepted in the articles of peace as a free city, France reſorted to this plea, that, as a free city, it was entitled to chuſe its own maſter. At the ſame time (Sept. 1681) a French garriſon entered Caſſel, the capital of Montſerrat, by virtue of a treaty with the duke of Mantua, under whoſe ſovereignty it was; but as a fief of the empire it could not be transferred without the emperor's conſent. Variations de la Monarchie Francoiſe, tom iv. p. 248.

Theſe

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Military preparations were ſtill carried on with unremitted induſtry in France, and there was reaſon to ſuſpect, that, by her intrigues, ſhe was ſtirring up the malecontents againſt the emperor in Hungary[8]. The prince of Orange, who, upon the foreſight of the treachery of France, had ſtrenuouſly oppoſed the peace, now came over to England, to ſolicit his uncle to enter into an alliance with Spain, Germany, and Holland, in order to give a check to the encroachments of Lewis. The perſonal application of the prince was enforced by the intreaties of the ambaſſadors of Spain and of the emperor, and by the engagements he had entered into with the former, ſeconded by the known inclinations of his people and the advice of ſome of his miniſters[9]. The part which Charles acted was hypocritical and evaſive: he openly remonſtrated againſt the encroachments of France: he even promiſed the Dutch and the Spaniſh ambaſſadors to call a parliament and to join in the confederacy; while he ſecretly intimated to France, that he had no intention of performing theſe promiſes[10]. He was guilty of ſtill greater duplicity. It was agreed upon between Charles and Lewis, that the latter ſhould propoſe to refer the diſpute between him and Spain, to the arbitration of Charles. The court of Spain, ſuſpicious of the intimate connexion between Lewis and Charles, re-

26th July.

Remains neutral while Lewis breaks the peace of Nimiguen.

These claims of France far exceeded what Charles underſtood to be included in the late treaty made with Lewis. He was greatly alarmed by them, not from any reſpect to the intereſt of the allies, but becauſe he dreaded the diſcontents of his people, which might bring him under the neceſſity of calling a parliament. He remonſtrated vehemently againſt Lewis for ſeizing Luxemburgh, but was pacified by receiving a million of livres. Dalrymple, Ap. p. 15. and 20, 21.

[8] Ralph, vol. i. p. 614.

[9] Ibid. vol. ii.

[10] Dalrymple, Ap. to part 1ſt, p. 15. and 20, &c.

fuſed

fuſed to acquieſce in the propoſed arbitration. Lewis made this a pretext for farther encroachments upon the Spaniſh provinces: Charles complained that he was ill-uſed by the diſtruſt of that court, and made it a reaſon for withholding his aſſiſtance [11]. The conduct of Charles was, perhaps, at no former period more open to cenſure, on account of his duplicity and his mean ſubjection to the ſchemes and politics of France. What a favourable opportunity did the leaders of the popular party now enjoy, for rouſing the ſpirit of the nation? How eaſy would it have been, to have expoſed the hypocriſy of Charles's remonſtrances againſt the encroachments of France? How diſgraceful to the king and the nation, the contempt with which France treated them?

Barillon intrigues with the leaders of oppoſition.

The crafty Barillon was aware of this danger, and with great addreſs provided againſt it. He ſtill cultivated a correſpondence with the popular party [12]. He amuſed patriotic hopes, and ſeemed to lend a favourable ear to a propoſal, made by ſome of the whigs, to ſecure the poſſeſſion of Luxemburgh, provided a parliament was called [13]. The reſult of theſe meaſures was, that, after France had obtained every thing ſhe wanted, a

[11] Ibid.

[12] Ibid. part ii. p. 31 2 3, and 78 9.

[13] Theſe offers were propoſed by Montague. in the name of his party. Barillon, in a letter to Lewis, juſtifies the propriety of continuing his intrigues with the popular party, from the following conſiderations: that, if he had diſcontinued them, the popular party in England would have ſuſpected the re-union of Charles with France: that they would have joined with Holland, and made a coalition of parties at home, with a view of compelling the king to call a parliament, and to enter into a war with France, Dalrymple, Ap. p. 32. But though there is little doubt that Montague made ſuch offers, yet there is no evidence of his having the authority of his party for doing ſo.

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truce was agreed to, between her and the allies, for the ſpace of twenty years[14].

1681. 29th June, 1684. The intereſt of the duke of York revives.

From the diſſolution of the Oxford parliament, the intereſt of the duke of York began to revive, and, at laſt, attained to an uncontrolled aſcendancy in directing public meaſures. The treaty between his brother and France was forwarded by his zeal and activity. He left Scotland, and returned to the court, where he ſupported the intereſt of France, by diſſuading his brother from complying with the ſolicitations of the allies[15]. The intereſt of the duke was ſeconded by the dutcheſs of Portſmouth, to whom he was now reconciled, by the mediation of lord Sunderland, and by the duke of Ormond, who was detained in England with a view of ſupporting the meaſures of the court[16]. The duke of York reſumed his ſeat in the privy council, and was afterwards reſtored to the head of the admiralty. The only check to his influence at this time, ſeems to have ariſen from lord Halifax, who, on account of his ſervices in the excluſion, was taken into the privy council, and afterwards made privy ſeal. Lord Halifax was a friend to moderate counſels: he adviſed the king to ſend the duke of York into Scotland, to call a new parliament, and to take new meaſures againſt France, in order to reconcile the popular party to the court[17]. Lord Rocheſter oppoſed the opinions of Lord Halifax in the privy council, and was underſtood to be entirely devoted to the intereſt, and to the meaſures, of the duke of York. Not only a diſagreement in ſentiment, but a keen animoſity, marked the oppoſition between Halifax and Rocheſter. The

14 Life of William, vol. i. p. 120.
15 Life of James 1681-2
16 Life of Ormond, vol. ii.
17 Temple, vol. i. p. 461.

former

former accuſed the latter of unwarrantable profuſion, and of abuſe of his truſt, in the office of treaſurer; but he was prevented by the interpoſition of the king, from proceeding to the inveſtigation of evidence, in ſupport of this charge[18]. CHAP. VI. 1681.

Influence of the whigs in the city of London.

Amidſt the career of proſperity in which the court was advancing, it was ſtill expoſed to frequent checks and mortifications, from the prevailing influence of the whigs in the metropolis. As a great proportion of criminal cauſes was brought forward within the diſtrict of the city of London, an immenſe influence fell into the hands of the ſheriffs, to whoſe office it belonged to make out the liſt of juries[19]. In the tumult and the contention of parties, ſubſiſting among a free people, it would require a very nice ſelection, to find any conſiderable number of men, who have either diſcernment or moderation to preſerve that cool and unbiaſſed frame of mind, which is eſſential to a pure deciſion, in any cauſe, ever ſo remotely connected with ſubjects of political controverſy. The court complained of the partiality of juries, and ſuſtained the moſt mortifying diſappointment, by the grand jury of Middleſex having returned their verdict of ignoramus, upon an indictment preſented againſt the earl of Shaftſbury[20]. Unleſs Nov. 24th.

[18] Ralph. Dalrymple, Ap.

[19] Somers's Collection, vol. i. p. 196.

[20] The principal articles charged againſt lord Shaftſbury were: that he had been engaged in raiſing a military force againſt the king: and that there was found in his ſtudy, the copy of an aſſociation againſt government. The violent reſentment of the court againſt Shaftſbury operated to the diſappointment of its object; and this probably would have been the caſe, though the judges had been leſs partial to him than they really were. It was evident, that great induſtry and addreſs had been employed by the court, in order to procure evidence againſt him. Some of the witneſſes were of a ſuſpicious character, and ſome of the things

CHAP VII. 1681.

leſs the ſheriffs were gained over to its intereſt, it was impoſſible that it could afford that protection to friends, or accompliſh that reſentment againſt enemies, which were neceſſary to encourage bolder efforts in the former, and to overawe and repreſs the ſecret cabals and intrigues of the latter[21].

Attempt of the court to gain the election of the ſheriffs in the city. June 1682.

In order to accompliſh this important acquiſition, the court having ſecured the friendſhip of ſir John Moor, who was then mayor, inſtigated him to claim as his right, what had hitherto been conſidered as a voluntary condeſcenſion on the part of the livery. Though the charter of the city veſted the election of both the ſheriffs in the common-hall, yet it had been their uſual practice to elect, as one of them, that perſon, whoſe health had been drank by the lord mayor, in token of his inclinations and recommendation. From this precedent it was inferred, that, by the terms of the charter, no more could be intended, than to reſerve to the common-hall the privilege of approving and confirming the choice of the mayor[22].

Violent meaſures for that end.

So far the matter in diſpute between the mayor and the livery appeared of a doubtful nature, and afforded ſcope for plauſible arguments in behalf of both the contending parties. Subſequent meaſures, encouraged by the court, and purſued by the mayor, were indecent violations of order, and deep encroachments upon the rights of the livery. He adjourned the election, contrary to form, and not only refuſed to ſuſtain the poll, which was tu-

things atteſted by them extremely improbable. The converſation and the expreſſions aſcribed to lord Shafteſbury were quite out of character. There ſtill remained evidence enough, if not for convicting lord Shafteſbury, yet for laying the foundation of a trial. Notwithſtanding this the jury returned a verdict of *ignoramus*, the term uſed when they think the evidence too weak to juſtify them in finding the bill. State Trials, vol. iii.

[21] Life of lord Keeper North.

[22] Life of Sir Dudley North. Kennet.

multuouſly

multuouſly carried on after adjournment, but, with arbitrary reſolution, to admit any to vote upon a future poll who would not previouſly conſent to his nomination[23]. The reſtriction was agreed to only by the friends of the king, and terminated in the appointment of two ſheriffs, devoted to his wiſhes and intereſts. What a dangerous acquiſition to the influence of miniſtry? From the power of modelling juries, what had not its enemies to fear? It ſoon appeared, that their moſt dreadful apprehenſions were neither imaginary nor exaggerated. The conduct of the court indicated a deliberate reſolution, not only of avenging the oppoſition it had already received from the whigs, but alſo of extinguiſhing their future influence under the authority of law. Not only deeds, upon which a treaſonable conſtruction was put by a forced interpretation of the ſtatute, were called in queſtion, but expreſſions, uſed in the courſe of common converſation, incurred the implication of criminal intent. Publications diſreſpectful to the duke of York, ſentences in ſermons derogatory to the prerogative, and atteſted upon the recollection of prejudiced hearers, were now puniſhed with unmerciful ſeverity[24]. The moſt cruel vengeance fell on thoſe who had been active againſt the mayor in the contention about the election of ſheriffs; exorbitant fines were exacted; miniſterial agents went about from place to place collecting grounds of accuſation[25]; and now it was, that the king let looſe the laws againſt the diſſenters, and not only forfeited all claim to the principles of toleration which he had formerly profeſſed, but, to that lenity of diſpoſition, which

CHAP. VI. 1682-3.

[23] Kennet.
[24] State Trials, 1682. [25] Ibid.

the

CHAP. VI. 1682-3.

the partiality of the nation had aſcribed to him, notwithſtanding the harſh complexion of many public meaſures[26].

There were, however, various circumſtances which appeared to endanger the retention of theſe acquiſitions, lately fallen into the ſcale of prerogative, and which ſummoned the utmoſt exertion of miniſterial ſagacity, to enſure the permanent and undiſturbed tranquillity of the prince. The bounty of France was precarious, and inadequate to the expences of the court of England[27]. The economy and retrenchments which the neceſſity of his affairs demanded, were irkſome and mortifying to Charles, addicted to indolence, and immerſed in extravagant pleaſure. The nation, attached to liberty and the conſtitution, would never be brought to endure, with patience, the total ſuppreſſion of parliaments. The royal declaration, which had contributed ſo much to blunt the edge of party ſpirit, had been more acceptable to the people, becauſe it profeſſed a reſpect to the authority of parliaments, and might be urged as an obligation upon the king to return to them. It was prudent to foreſee this contingency, and to provide againſt it: if the king could not lay aſide parliaments altogether, it became neceſſary to deviſe ſome plan to change their complexion, and to render them more gentle and more ſubmiſſive to his will.

Quo warrantos.

From theſe reflections, aroſe the audacious policy of wreſting their preſent charters out of the hands of the corporations, in order to new model them by ſuch reſtrictions, as might render their members, elected to ſerve in future parliaments,

[26] Kennet.

[27] It is aſſerted, that the court of France diſcontinued the payment of Charles's penſion, becauſe he releaſed lord Danby from impriſonment; a ſtriking inſtance of the meanneſs and inflexibility of her reſentment.

entirely

entirely devoted to the intereſt of the crown[28]. The firſt experiment of this plan was executed againſt the city of London. A quo warranto was iſſued againſt the common-council: frivolous irregularities, and even the juſt and commendable exerciſe of their power in forming bye-laws adapted to the intereſt and the convenience of the inhabitants, were urged to infer a legal forfeiture of their charter. The city firſt ſtood upon its defence, but afterwards, diſcomfited by a ſentence in the king's bench, and wrought upon by threats and promiſes, ſurrendered its franchiſes into the hands of the king[29]. CHAP. VI. 1683. 12th June.

Theſe arbitrary proceedings were not confined to the city of London, whoſe violence had expoſed them to the cenſure of men of moderate principles. Quo warrantos were iſſued by the crown lawyers againſt many of the corporations of the boroughs in England. Intimidated by the fate

[28] Kennet.

[29] While the diſpute with London was depending, ſome of the boroughs made a voluntary ſurrender of their charters.

As the judgment paſſed againſt the city was not immediately recorded, the common-council preſented a petition to the king, expreſſing a deep ſenſe of their offences, and promiſing future loyalty and obedience: upon which the charter of the city was reſtored, with regulations, which, in effect, veſted the crown with a negative upon the choice of the mayor and ſheriffs. Echard.

The chief juſtice Saunders had the peruſal of all the indictments and the informations, preferred at the inſtance of the crown, in the caſes of the quo warrantos. Life of Lord Keeper North, p. 225.

The perſon who, in the laſt year of Charles, had the principal direction in the law department, was ſir Francis North, made chancellor after the death of the earl of Nottingham. He poſſeſſed very conſiderable abilities, and though highly attached to the court, did not connect himſelf with any of the miniſters, but profeſſed to reſt his merit and importance upon the reſpect he ſhewed to the laws and to the conſtitution. Ralph, vol. i. p. 703.

and

CHAP. VI. 1683.

and the example of the capital, they were content to reſign their privileges, and to receive them again as a favour from the crown, mutilated and circumſcribed, for the purpoſe of rendering its influence, in future elections, paramount to all internal oppoſition from the members of the corporation[30].

Timidity and ſubmiſſion of the people.

While we execrate that arbitrary ſpirit which trampled upon the very forms of law, we muſt at the ſame time deſpiſe that abject timidity, which not only reſtrained the corporations from a manly and becoming reſiſtance, but rendered them acceſſary to their own diſgrace, and to the deſtruction of national liberty. Where now is that noble ſpirit of patriotiſm, which, with unwearied circumſpection, watched every avenue of danger, and caught alarm at the moſt diſtant approach of tyranny? Never was there a louder call, nor a juſter cauſe for reſiſting, with fortitude and obſtinacy, the meaſures of the court, than when Charles, by exacting from the corporations the ſurrender of their privileges, made ſuch an undiſguiſed and outrageous attack upon the fences of liberty and the conſtitution. Seldom had there been any opportunity of reſiſtance, when it was encouraged by a more promiſing proſpect of ſucceſs. In the queſtion concerning the excluſion, juſtice and expediency ſeemed to interfere: whatever might be the iſſue of that queſtion, the danger ariſing from it appeared immenſe and unavoidable; and it was only, after an interval of ſuſpence and uncertainty, that the cautious mind could be brought to any determination what to prefer. But here was an obvious violation of right; a long connected train of dangers preſented itſelf to the eye. If

[30] Echard.

the

the franchiſes of the boroughs were invaded without a ſtruggle, might not the precedent be applied with equal propriety to the change, or the limitation, of the rights of the freeholders? What was the difference between a king who reigned without the name of a parliament or the veſtige of control, and a king who reigned over a parliament, compoſed of members, named and choſen by his command? If the boroughs had made only a feeble reſiſtance to theſe arbitrary proceedings, till they had been ſubmitted to the deliberate review of the wiſer and more impartial part of the nation, the danger muſt have been detected, the ſpirit of the people rouſed, and the court reduced to the neceſſity of relinquiſhing the diſpute with that diſgrace and diminution of power, which always attend the defeated ſchemes of uſurpation. CHAP. VI. 1683.

In the inſtances recited, we have obſerved the power of the crown ſtretched beyond the limits of law, in conformity to arbitrary ſchemes, formed in the cabinet after the diſſolution of the laſt parliament. Accidental circumſtances now concurred, with political manœuvres, to turn the balance ſtill more in favour of the monarchy, and to diſcourage all future conſultations and attempts to interrupt the alarming progreſs of regal ambition.

A conſpiracy againſt the ſtate was diſcovered, and it appeared, that a circumſtance, merely accidental, had prevented the aſſaſſination of the king on his return from Newmarket; and, though this atrocious deſign was diſclaimed by the moſt reſpectable perſons who were accuſed of the Ryehouſe plot, yet, there was a clear proof of their having had frequent meetings with others, who were convicted of conſpiring againſt the life of the king Detection of a conſpiracy; June.

CHAP. VI. 1683.

king and his brother[31]. It was farther remarkable, that this conſpiracy had been concerted at the ſame time, and in the ſame place, with thoſe meaſures of the laſt parliament which were moſt obnoxious to the court, and that the charge was brought home to thoſe very perſons who had promoted with the greateſt zeal, the proſecution of the popiſh plot and the bill of excluſion. The language then held by them was, that the life of the king was in danger, and an anxiety to preſerve his life was the profeſſed motive of their zeal. By their perſuaſion, the commons reſolved, that if the

ruinous to the whigs.

[31] It was called the Rye-houſe plot, becauſe the deſign of it was to aſſaſſinate the king and the duke of York as they returned from Newmarket, at a place called the Ryehouſe, belonging to Rumbold, one of the conſpirators. A fire, which happened at Newmarket, was the occaſion of the king's returning to London, before the conſpirators were prepared for the execution of their deſign. Some of them conſidered it as a providential interpoſition in behalf of the king, and one Kieling, under the preſſure of remorſe as he pretended, made a diſcovery of the conſpiracy to ſecretary Jenkins, and, after his example, others of the conſpirators offered to become witneſſes for the king.

From their information it appeared, that, after the diſſolution of the Oxford parliament, frequent meetings had been held by many of the whigs, in order to conſult about the moſt proper methods for controlling the arbitrary meaſures of the court. A correſpondence was kept up with the diſaffected party in Scotland; different plans were ſuggeſted, according to the temper and the motives of individuals. It had been propoſed at one of theſe meetings, to make an inſurrection in the city, and to ſeize the king's guards. The aſſaſſination of the king had been occaſionally mentioned, but reprobated by the moſt reſpectable members of theſe aſſociations. Kennet. North's Examen, p. 393-8.

When this conſpiracy was diſcovered, unconnected parts of it were confounded, and the expreſſions and actions of individuals indiſcriminately imputed to all who had aſſociated with them. The trials of the conſpirators were conducted with the greateſt rigour, and ſome eſſential forms of law violated. State Trials, vol. iii. Vindication of Lord Ruſſel. Ibid.

king

king ſhould come to a violent death, they would revenge it upon thoſe of the Roman catholic religion. But now it was evident, that by ſubſtituting imaginary dangers in the place of real ones, and by defaming the reputation of the innocent, they meant to lull the ſuſpicions of the nation, till their deſign ſhould be ripe for execution, and which had nearly accompliſhed its tremendous effects. While many reflected with abhorrence upon the deep hypocriſy with which theſe men had acted, by a connection of ſentiment extremely natural, though neither logical nor candid, they carrried back the iniquity of their preſent conduct to the meaſures they had hitherto purſued, and extended it to all who had been connected with them, while the character of their opponents in the ſame proportion, and with as little propriety, met with eſteem and confidence[32]. This was a fatal blow to the intereſt of that party, from which reſiſtance to the preſent arbitrary meaſures could be expected.

CHAP. VI. 1683.

Diſcomfited by theſe diſaſters, the whigs ſunk into deſpondency; and no future oppoſition ſeems to have been meditated during the remaining eighteen months of the life of Charles. Shaftſbury, the moſt able, Ruſſel, the moſt virtuous of the party, were no more: the reſtraints of law removed, the ſpirit of the nation broken and ſubdued, the heads of the country party fallen into diſcredit, by the crimes and the misfortunes of their aſſociates, the influence of the crown became ſupreme and irreſiſtible.

The court triumphant.

Charles did not long ſurvive to enjoy his proſperity, if it deſerves that name. He languiſhed under an oppreſſion of ſpirits for ſeveral months,

Death and character of Charles.

[32] North's Examen. Lord Guilford's MS. Dalrymple, Ap. p. 64.

and

CHAP. VI. 1685.

and after an apoplectic ſtroke, from which he recovered in ſome degree, relapſed again, and expired on the ſixth of February one thouſand ſix hundred and eighty-five.

It is not to be denied, that nature had furniſhed the mind of this prince with a more than common ſhare of genius and taſte. Affability, ſprightlineſs, wit, and good breeding, conveyed an amiable view of his character to thoſe who ſurrendered judgement to the ſudden and tranſient impreſſions of converſation and external manners.

Tried by that ſyſtem, which aſcribes tranſcendent merit to the graces, few royal characters appear more deſerving of applauſe and admiration: few will ſtand lower in the deciſion of thoſe, who hold moral accompliſhments to be the moſt eſſential ornaments of character, and the only genuine baſis of eſteem and praiſe.

Without any ſenſe of religious principle, ungrateful to his own friends, and the friends of his father; timid and fluctuating in his counſels; deſtitute of all pretenſions to patriotiſm; ever ready to ſacrifice the intereſt and glory of his country to the gratification of his pleaſures, and the ſupply of his wants; what remains to claim the approbation, or reſtrain the ſevereſt reproach, of impartial poſterity?

Reflections.

The ſatisfaction which Charles enjoyed in the latter period of his reign on account of his triumph over the whig party, muſt have been greatly diminiſhed, by the perſonal mortifications he incurred from the inſolence and the treachery of France. How painful muſt it have been, to diſcover that Lewis had been intriguing with thoſe very perſons in England, whom he had conſidered as enemies to his own government, and to the intereſt

tereſt of France[33]? Nay, ſo little reſpect did Lewis ſhow, either to the honour or the domeſtic tranquillity of Charles, that he was acceſſary to a deſign, of expoſing him to the contempt of his ſubjects, and of all Europe, by a publication of the ſecret treaties, by which Charles, to his diſgrace, had connected himſelf with the court of France[34]. The encroachments which the French king made upon Flanders, were a mockery of the engagements into which he had entered with Charles by the laſt money treaty. His invaſion of the principality of Orange, was an inſult to the royal family of England. A circumſtance which, we may believe, made a deeper impreſſion upon the mind of Charles, was the withholding the penſion promiſed to him, for remaining an indifferent ſpectator of ſuch outrageous uſurpations, at a time when he was reduced to the utmoſt diſtreſs, on account of his contracted and embarraſſed revenue. Thus, like the unhappy female, who has fallen a prey to the ſnares of the licentious ſeducer, robbed of her innocence, and cheated of the reward of her proſtitution, conſigned to infamy and to poverty, Charles, if any ſpark of ſenſibility remained, muſt have been torn with all thoſe pangs of remorſe and of ſhame, which reſult from the conſciouſneſs of the baſeſt iniquity and moſt egregious folly. No wonder, if, as atteſted by cotemporary hiſtorians, he became penſive and melancholy, and entertained ſerious thoughts of changing the plan of his government[35]. The arrangements he had made in the ſeveral corporations by

CHAP. VI. 1685.

[33] Dalrymple, Ap. p. 74.
[34] State Papers, T. W. vol. 1.
[35] Life of Lord Keeper North.

the

CHAP. VI. 1685.

the *quo warranto* profecutions, and a conſiderable reinforcement added to his army by the garriſon recalled from Tangiers, would probably encourage him to hope, that if he called another parliament, he would find it more obſequious to his deſires[36].

[36] Welwood, p. 137.

CHAP.

CHAP. VII.

Acceſſion of James.—Circumſtances favourable to Loyalty.—A Parliament.—Extraordinary Compliance of Parliament.—Invaſion by Argyle and Monmouth;---Defeat of Monmouth;---Cruelties exerciſed againſt his Adherents;--Arbitrary Meaſures,---and Bigotry of the King.---He applies to Parliament for an Augmentation of the Army;---Intimates his diſpenſing with the Teſts.---The Commons remonſtrate againſt diſpenſing with the Teſts;--Oppoſe the Augmentation of the Army.---The King angry with the Commons.---The Lords review the King's Speech,---Parliament prorogued.---Influence of the King declines.---Character of Sunderland,---of Petre,---of Jefferies.---The King retains in his Service the Officers who had taken the Teſts.---Trial of the diſpenſing Power.---The King exerciſes it in the Charter-Houſe Hoſpital;---in the Univerſity of Cambridge;—in Magdalen College, Oxford.—Dangerous Power of the Eccleſiaſtical Commiſſion.—The King uſes Means to obtain a corrupt Parliament.—Diſappointed.—Orders his Army to be encamped—Declaration for Liberty of Conſcience.—The Biſhops refuſe to tranſmit it to their Dioceſes:—They are impriſoned.—tried,—and acquitted.

JAMES the ſecond aſcended the throne in peace; and an event, which a few years before had been anticipated with horror, as the moſt calamitous that could befal the nation, was accompliſhed, not only without reſiſtance, but without the appearance of diſcontent, or the apprehenſion of danger. Of the cabals, the menaces, and the virulent ſpirit, of the excluſioniſts, no traces were to be found. A change of political ſentiments,

CHAP. VII.

1685. 6th Feb. Acceſſion of James.

CHAP. VII. 1685.

ments, no leſs ſudden and remarkable, awaits the obſervation of the hiſtorian. A prince, inveſted with extenſive prerogative, and flattered with the moſt ardent expreſſions of attachment, through the baneful influence of obſtinate and infatuated bigotry, abdicates his throne, almoſt without a ſtruggle, and is compelled to linger out the remainder of his days in exile and diſgrace.

Circumſtances favourable to loyalty.

A variety of circumſtances concurred, to diſappoint the unfavourable conjectures of preceding years, to change the temper of the nation, and to render the commencement of this reign auſpicious and popular beyond expectation. The commerce of England, which had been progreſſive ſince the era of the reformation, had, of late, increaſed with more rapid ſucceſs, and diffuſed proſperity among every order of men. A long continuance of peace taught the people to value and to enjoy the bleſſings of a ſettled government; bleſſings too important to be expoſed to interruption or hazard, by liſtening raſhly to ſpeculations of amendment, or by the anticipation of remote and precarious dangers. Popular opinion was, in ſome reſpects, favourable to the character of the new ſovereign. He had acquired reputation for ingenuity and courage, as a naval officer; he was believed to poſſeſs induſtry, and a capacity for buſineſs; and the profeſſion of patriotic zeal raiſed high expectations from the application of thoſe talents to the national welfare. It was hoped that the influence of the French court, ſo odious to Engliſhmen, would be abroliſhed, under the adminiſtration of a prince who profeſſed a high ſenſe of national honour, and openly declared his deteſtation of a political

ſyſtem

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ſyſtem ſubſervient to the views of a foreign prince[1]. Inſinuations of the indolence and inactivity of the former reign were not reſtrained by a grateful delicacy, due, upon the part of the preſent prince, to the memory of a brother, who had never acted with ſteadineſs and vigour in any cauſe but his[2]. Manly counſels, bold meaſures, prompt and vigorous execution, were expected from the activity and promiſes of the new ſovereign. Though, from theſe motives, the inclinations of the people were favourable to him, James did not chuſe to truſt to their voluntary obſequiouſneſs, for the return of members attached to the intereſt of the court. Every advantage was taken of thoſe alterations which had been introduced, in the late reign, into the charters of corporations. Addreſſes and ſolicitations were added, with ſuch ſucceſs, that when the liſts of the repreſentatives to ſerve in the new parliament were preſented to the king, he obſerved, with ſatisfaction, that there were not above forty names which he could wiſh to expunge[3].

A parliament.

The ſpeech of the king to his parliament correſponded with the prepoſſeſſions they had formed

[1] It is now certain, that all James's pretences to act with independence, and to throw off the influence of France, were hypocritical. He formed, from the very beginning, the plan of reigning without a parliament. He ſummoned his parliament, for which he makes many apologies to Lewis, only in order to be enabled to reign without it, after having obtained, by its means, the ſettlement of a revenue for life. He ſolicited a preſent of money from France, and was highly gratified with the obtaining of it. Dalrymple, Ap. p. 103-12-13-47. He renewed the treaty with Holland, ſummer 1685; but the reaſon of this was the backwardneſs of France to anſwer his demands for money. Compare Memoires de la Derniere Revolution d' Angleterre, par L. B. T. D'Avaux, vol. iii. 1685. Dalrymple, Ap. p. 158. 164.

[2] Burnet. Wellwood.

[3] Coke, 19th May.

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of his character, and seemed to express his sincerity, firmness, and public spirit. He promised to maintain the established religion and government, and to desire no power or greatness beyond the limits of the constitution.

Extraordinary compliance of parliament.

The compliance and generosity of the parliament yielded to the prince the most satisfactory specimen of a loyal zeal. Both houses were unanimous in settling the revenue upon his majesty for life, in the same manner as it had been settled upon the late king [4]. James, during the interval between the death of his brother and the meeting of parliament, had continued to levy the customs by proclamation. With a deference to prerogative, at once servile and perfidious, this exercise of power, so deeply encroaching upon the privileges of the commons, was neither marked with censure in the reply to his majesty's speech, nor even, by the most distant hint of disapprobation, referred to by either house in the course of their debates. Agreeably to the same overstrained delicacy, a motion for an address to his majesty, that he would be pleased to put in execution the laws against the dissenters, was thrown out; and it was resolved, that they should rely with implicit confidence, upon his gracious promises and repeated declarations, to defend the protestant religion [5]. A motion was made to extend the laws against treason; and, from the present temper of parliament, there is little room to doubt, that, if the session had been protracted, this and other dangerous concessions to prerogative, might have obtained the sanction of the legislature.

[4] Journ. Lords, Commons, 27th May.
[5] Journ. Commons, 27th May.

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The news of an invaſion in Scotland by the earl of Argyle, and in England by the duke of Monmouth, circumſcribed the operations of a zeal more fervent than wiſe, and engroſſed the whole attention of parliament. The declarations of Monmouth and Argyle were communicated to both houſes by the order of the king, and ſupplies were requeſted to enable him to augment the navy and the army, and to put the nation in a proper ſtate of defence. The king was thanked for his attention; the declarations of Monmouth and of Argyle were voted treaſon [6]. The army of Monmouth was completely routed, he himſelf taken priſoner, and brought to an infamous execution, in little more than a month after his arrival in England. The deſtruction of an enemy ſo formidable by ambition and popularity, gratified the reſentment, and augmented the power, of James; but the mercileſs gratification of that reſentment, and the wanton abuſe of that power, haſtened his final diſgrace and ruin. The ſeverities inflicted upon the unhappy adherents to Monmouth, gave an inſight into the king's character, and revived again thoſe ſuſpicions, when even the party, who firſt entertained them, were deſirous to have buried in oblivion, and ſpread general horror over the nation. An age of advanced civilization beheld thoſe wanton exertions of cruelty and of vengeance, which form the blackeſt features of ſociety in its rudeſt ſtate, and rouſe indignation in every breaſt where the ſmalleſt ſpark of compaſſion dwells. In ſome of thoſe towns which had opened their gates to Monmouth, the innocent and the guilty were promiſcuouſly put to the ſword. Many were condemned upon the

Invaſion by Argyle and Monmouth 22d May. 13th June.

Defeat of Monmouth. 15th July

Cruelties exerciſed againſt his adherents.

[6] Journ. Lords and Commons, 23d May, 13th, 15th, and 23d June.

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ſlighteſt evidence, and ordered to immediate execution. Colonel Kirk, who, with a diſpoſition naturally brutal, had acquired the habits of a ſavage nation among whom he had reſided, ſeemed to find his paſtime in ſuperintending theſe horrid executions. Jefferies, the chief juſtice, proſtituted the authority of office, and the ſanction of law, to cover a congenial ſpirit of cruelty, and, regardleſs of every exculpatory circumſtance, doomed to infamous puniſhment thoſe who were ſuſpected to have been favourable, but in their hearts, to Monmouth, or who had indulged the dictates of humanity, in endeavouring to conceal any of their friends who had joined his ſtandard. Almoſt every trial in this bloody circuit affords the moſt ſhocking examples of partiality, petulance, oppreſſion, and barbarity, on the part of the judge [7]. Though the king profeſſed to have been ignorant of theſe enormities, when he perceived the deteſtation they excited throughout every part of the kingdom, yetwe are warranted to conclude, that, in his ſight, they appeared highly meritorious, eſpecially as the execrable perpetrators of them were honoured with ſignal marks of royal favour. Jefferies, ſtained with blood, and loaded with the curſes of the people, found a welcome reception into the preſence of his ſovereign; and, as if it had been for the reward of his iniquity, was dignified with a peerage, and ſoon after inveſted with the office of chancellor [8].

Arbitrary meaſures

But nothing could render the victory of the king over his diſaffected ſubjects more beneficial to the nation, and more hurtful to himſelf, than the inducing him to drop the maſk, and with

[7] Coke. Burnet.
[8] Burnet, &c.

openneſs

openneſs and precipitancy to purſue thoſe arbitrary meaſures, which, if they had been covered with artifice, and carried on with prudence, might have taken effect, ere his people were aware of danger, and rivetted upon their necks thoſe chains, from which no future efforts could have delivered them. No extraordinary degree of ſagacity was now requiſite, to penetrate into the nature of his temper and of his deſigns; the ſpirit of bigotry actuated and pervaded every meaſure he undertook; zeal for his religion was the central point, to which, by an irreſiſtible power of attraction, all his thoughts, affections, and actions, were drawn; even arbitrary power, in his eſtimation, was only a ſecondary object: his enthuſiaſm far outſtripped his ambition; and if he wiſhed to extend his prerogative, it was chiefly with a view to ſtrengthen his hands, as a faithful champion and ſon of the church. The importation of catholic prieſts, the erection of maſs-houſes and of popiſh ſchools, and a numerous hoſt of ſuperſtitious proſelytes, were, in his apprehenſion, the moſt ſplendid trophies that could adorn his crown and ſignalize his reign [9].

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and bigotry of the king.

The

[9] On the firſt ſabbath after his acceſſion, the king openly attended the Roman catholic worſhip. He was deſirous, at the ſame time, of avoiding the cenſure of innovation. He publiſhed a declaration ſubſcribed by the late king, profeſſing his adherence to the faith of Rome; as if the opinion of a prince ſo notoriouſly indifferent with reſpect to all religion, ſuppoſing that opinion had been well authenticated, could have operated to the conviction of any man, guided by reaſon or principle. He invited Roman catholic prieſts from foreign countries, and encouraged them to exerciſe their functions openly, and in defiance of the law. A Roman catholic biſhop was conſecrated within his own chapel at Windſor. Laymen of the ſame communion were made king's counſel, judges, lords lieutenants of counties, ſheriffs, juſtices of the peace, and

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He applies to parliament for an augmentation of the army.

Intimates his dispensing with the tests.

The rebellion of Monmouth furnished the king with a plausible pretext for rising in his demands for supplies, and for proposing an augmentation of his standing army; while, at the same time, it manifested, in an alarming view, how resolutely he was devoted to the interest of the Roman catholic church. After representing the militia as inadequate to the defence of the nation, upon such emergency as that which had lately occurred, he informed them, that he had dispensed with the law, in giving commissions to many officers who had not taken the tests in compliance with the act of parliament. He pleaded success and gratitude, as ample vindications of this measure, and announced his firm purpose of persevering in a plan of government equally unpopular and unconstitutional.

and mayors of corporations. Lord Castlemain was sent ambassador to the pope, to solicit, in the name of the king, the reunion of England with the holy see, and to implore his forgiveness.

In Ireland, all regulations and laws for maintaining the protestant religion were set aside. The army was new modelled, protestant officers were deprived of their commissions, upon the most frivolous pretences: some, because they had served under a republican government, a stain, which, at the restoration, extended over the whole army and navy in England; others were dismissed, on account of original guilt, being descended from parents who had served under the protector. Whole regiments were disbanded, it was suspected, for no better reason. To prevent the power of resistance, under any provocation whatever, the arms of the protestant militia were called in. The rashness and oppression of these measures were rendered more flagrant and intolerable, by the violent temper of the agent employed to carry them into execution. By the advice of father Petre, lord Tyrconnel was promoted to the lieutenancy in Ireland, in the room of lord Clarendon, whose moderation and religion rendered him obnoxious to all who wished well to the popish interest. Dalrymple, Ap. p. 262. Clarendon's Diary, passim. A letter to a protestant in Ireland.

The

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The houſe of lords thanked the king for his ſpeech, without any reſerve, or any mark of diſcontent.

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The commons were not ſo tame, nor ſo careleſs, as to overlook the dangerous tendency of thoſe meaſures which the king avowed and juſtified. They voted and drew up an addreſs, repreſenting to him, that the teſts could not by any means be diſpenſed with; and praying him to diſmiſs thoſe officers who were, by repeated ſtatutes, diſqualified from entering into his ſervice. But while they guarded the conſtitution with firmneſs, they were not incapable of viewing, with indulgence and reſpect, or even backward in ſeconding with liberality, thoſe ſentiments of gratitude which the king expreſſed towards his catholic ſubjects. They brought in a bill to indemnify ſuch of that perſuaſion as had ſerved in the army againſt Monmouth, and, at the ſame time, to reward them with penſions [10].

9th Nov. The commons remonſtrate againſt diſpenſing with the teſts. 9th Nov.

Next to the diſpenſing with the teſts, the augmenting of the ſtanding army was the moſt unpopular meaſure which his majeſty could have propoſed to his parliament. The day of implicit obedience was now at an end. The augmentation of the army was warmly oppoſed. The militia was recommended as the ſafeſt mode of national defence; and, in oppoſition to the language of the king's ſpeech, their ſervices againſt Monmouth were held to be the moſt important and illuſtrious.

Oppoſe the augmentation of the army.

The debate cloſed with a motion for a bill for the better regulating of the militia [11]. The ſum of ſeven hundred thouſand pounds was agreed to by the houſe, as a ſupply to his majeſty, without

[10] Journ. Commons, 14th and 16th November.
[11] Journ. Commons, 12th November.

any

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any deſcription or limitation of the purpoſe to which it was to be applied.

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To the addreſs of the commons the king replied in terms of ſharp reprehenſion, and, by a new evidence of a temper, obſtinate and untractable, rouſed alarm, and ſuggeſted to them the neceſſity of a general combination, to repel thoſe encroachments which, if ſuffered to paſs unnoticed, threatened the total extirpation of their religion and liberties. He ſaid, he did not expect to have received ſuch language from his commons, eſpecially after his known character for truth; and yet the very meaſure which gave occaſion to the addreſs, was a flagrant violation of the promiſe he made to his people upon his acceſſion to the throne.

The lords review the king's ſpeech.

The imprudence of the king's reply, and the ſhock it gave to the intereſt of the court, were ſoon evident, from a change in the temper of the houſe of lords. They had before unanimouſly approved of the king's ſpeech, without attending to that clauſe which intimated his reſolution of diſpenſing with the teſts; and their negligence and precipitancy had drawn upon them the cenſure of many who were ſincerely attached to the conſtitution. The purpoſe of the king, repeated in his anſwer to the commons with an air of defiance, invited the immediate and ſpirited exertions of the patriotic lords. They now moved for a review of the ſpeech, with a premeditated intention to concur with the commons in teſtifying their diſapprobation of his having announced his reſolution to diſpenſe with the teſts[12]. The tardineſs and the irregularity of the motion afforded the friends of the court ſpecious grounds for oppoſing it. The importance of the ſubject, and the magnitude of the danger, over-ruled a ſcrupulous adherence to

[12] Journ. Lords, 19th November,

forms,

forms, and the motion for reviewing the ſpeech was carried by a great majority[13].

The king, aware that his parliament, in their legiſlative capacity, might have conſiderable influence in obſtructing thoſe favourite meaſures to which in vain he had attempted to render them ſubſervient, formed the purpoſe of an immediate prorogation. He ſacrificed his intereſt to his bigotry, and preferred the alternative of loſing the ſum of ſeven hundred thouſand pounds, voted by the commons, to the neceſſity of abandoning the meaſures he had already adopted in behalf of thoſe of his favourite communion. The parliament was prorogued from the tenth of November to the tenth of February one thouſand ſix hundred and eighty-ſix.

Parliament prorogued.

From the prorogation of this parliament, we trace the decline of the power of James. The attachment of his proteſtant ſubjects was totally effaced by the dangers impending over their religion; his reputation for prudence and for integrity, lately ſo eminent, was impeached; the tone of adulation began to die away; individuals, and aſſociations of men, who hitherto had been the warmeſt advocates for prerogative, at laſt became monuments of the folly of their favourite doctrines, and were driven by inevitable neceſſity to purſue thoſe meaſures, which, in ſpeculation, they held to be criminal. Prerogative, it is true, became more active and more reſolute in its execution, but, like thoſe tumours which ſwell the body in the laſt ſtage of diſeaſe, in proportion as it was ſtretched, its vital powers were declining.

Influence of the king declines.

Few alterations at the beginning of this reign were made in the miniſtry, as it ſtood at the death of Charles II. Lord Rocheſter was high treaſurer;

[13] Ralph.

lord

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lord Godolphin, who had been formerly at the head of the treaſury, was appointed treaſurer to the queen; the marquis of Halifax was removed from the privy ſeal to be preſident of the council; the earl of Clarendon ſucceeded him in the office of privy ſeal.

From an exaggerated conceit of his own abilities, and a habit of application, the only accompliſhment in which he excelled his brother, the king was determined to be his own miniſter; and while this reſolution prevented perſons of greater integrity and honour from interfering in his counſels, it laid him open to the influence of others, who, from intereſted purpoſes, or a congenial ſpirit of bigotry, flattered his prejudices, abetted his arbitrary ſchemes, and precipitated him into ruin [14].

Character of Sunderland.

Lord Sunderland, though he had oppoſed the perſonal intereſt of the duke of York in the late reign, was not only admitted into adminiſtration, but quickly ſurpaſſed all his colleagues in the ſhare he held of his maſter's confidence, and diſplayed an aſcendency over his counſels, which he maintained to the eve of the revolution. His introduction to the favour of the prince, and his growing influence, were promoted by the patronage of the queen, whoſe ſolicitations and advice, on various occaſions, were diſcovered to ſway the inclinations of her huſband, often contrary to the maxims of prudence, and the ordinary rules of attachment. From that jealouſy, which is often found to ſubſiſt between the relations of the huſband by different marriages, Clarendon and Rocheſter became obnoxious to the queen, more than any of the other competitors for the royal favour. They were the neareſt relations of the king's children. To the

[14] Burnet.

hereditary

hereditary loyalty of their father, who had been oppreſſed by faction, they had added perſonal ſervices of high deſert, and by their ſteady zeal for the intereſts of the duke of York, during the dependence of the excluſion bill, laid him under ſtrong obligations of gratitude, and eſtabliſhed a claim of preference to the honours which he now had it in his power to diſpenſe. The queen wiſhed to attach to her intereſt ſome perſon, whoſe diſtinguiſhed abilities and obſequiouſneſs to his maſter, might ſerve as a counterpoiſe to that immoderate influence, which, ſhe had reaſon to fear, would now devolve upon the relations of the king by his firſt marriage. The character of Sunderland prompted him to ſolicit, and qualified him to obtain, the deſtined preference. Habits of profuſion required liberal reſources, and rendered him anxious to retain his employments, as the means of gratifying them. An uncommon capacity for buſineſs, cultivated by experience in the official line, juſtified a recommendation to the moſt important employments, and inſured credit and advantage to his patron. By inſinuation, flexibility, induſtry, in all of which he was a proficient, he obtained a preference to perſons of purer virtue, who were engaged with him in a competition for favours. The diverſified operations of the ſame predominant diſpoſition were never more conſpicuouſly diſplayed, than by the oppoſite conduct of Shaftſbury and Sunderland. Alike enſlaved to ambition, they exerted every nerve, and every faculty, to gratify it. The different methods adopted by them for this end, marked the diſſimilitude of their tempers. Shaftſbury, impetuous and overbearing, aſſaulted the forts of power by ſtorm and by violence: Sunderland, timid, crafty, ſubmiſſive, attempted to gain poſſeſſion of them by the leſs ſuſpected, but not leſs ſucceſsful, plan of mining

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ing and ambuſcade. The one, by alarming the fears of his ſovereign, expected to ſubdue his mind to a reluctant compliance with his ambitious ſchemes; the other, by flattering his weakneſs and prejudices, inſinuated himſelf into his confidence and favour. With a flexibility, inconſiſtent with any ſhadow of principle, he approved, he flattered, he abetted the various humours and meaſures of every maſter whom he ſerved. Though a violent excluſioniſt, he retained his office, and a great ſhare of court intereſt in the late reign, by the addreſs and aſſiduity with which he cultivated the favour of the king's miſtreſs, the ducheſs of Portſmouth. By the ſame dexterous accommodation of manners, he now gained the good graces of the queen, and was ſelected by her to be the head of that party by which ſhe intended to undermine the influence of the family of Clarendon[15]. Her expectations were not diſappointed. He quickly engroſſed the confidence of his maſter; he became a convert to his religion; honoured prieſts and confeſſors; joined in their conſultations; and prompted, as it is ſuſpected, the moſt violent attacks upon the eſtabliſhed religion and government[16].

Of Petre.

Father Petre, his confeſſor, was the oracle to whom James reſorted with implicit faith, and regarded at laſt as his political, as well as his religious preceptor. As if it had been to publiſh his defiance of national prejudices, no diſguiſe was uſed to conceal the affection and the deference he paid a perſon, whoſe profeſſion and character juſtly rendered him obnoxious to the odium and the jealouſy of his proteſtant ſubjects. He was made clerk of the cloſet, and admitted a member of the

[15] Rereſby, p. 223.
[16] Ralph.

privy

privy council; and that his majeſty might enjoy frequent and eaſy acceſs to his private converſation, apartments were aſſigned him within the precincts of his palace. Petre was a man of ſlender abilities, and a ſcanty proportion of learning, but of an enthuſiaſtic and furious ſpirit, which ruſhed upon its favourite object, without diſcerning the obſtacles which intervened; ignorant of every rule of prudence, and of the moſt common arts of managing the tempers of men. To his aſcendency over the mind of the king, and of his conſort, were aſcribed the openneſs, the precipitancy, the violence of thoſe plans in ſupport of the Roman catholic religion, diſapproved of by its more prudent adherents; and found upon trial to be no leſs deſtructive to the purpoſes they were intended to ſerve, than they were to the intereſts of the royal family[17]. CHAP. VII. 1685.

But of all the inſtruments of the king's arbitrary meaſures, there was none more infamous and more deteſted, by all orders of men, than Jefferies, whom he advanced to the head of the law. While recorder of London in the late reign, he had diſtinguiſhed himſelf by the activity with which he oppoſed the petitions for the meeting of parliament, and promoted the addreſſes of abhorrence. The court marked him as a fit tool for oppreſſion and violence. He was preferred to be a puiſn judge, and afterwards to be chief juſtice of the king's bench. In his private character, he was inſolent, profane, licentious, intemperate, rapacious. By the ſupercilioufneſs of his behaviour, he diſguſted ſome of the moſt ancient and ſincere friends of the royal family, and made them withdraw from office, and from attendance upon court. As a pleader at the bar, he was petulant, ſuperfi- Of Jefferies.

[17]. Orleans

cial,

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cial, turbulent, calumnious; as a judge, partial, over-bearing, arbitrary, mercileſs. Under ſo corrupt a judge, the laws were not only deprived of all their ſalutary protecting influence, but converted into engines of vengeance againſt all thoſe who had meritoriouſly fallen under the royal diſpleaſure. Under ſuch a corrupt judge, the reflecting part of the nation beheld, with grief and aſtoniſhment, the laws ſurrendered to that arbitrary will which they were intended to control, and made ſubſervient to the oppreſſion and the miſchiefs which they were intended to counteract[18].

The king retains in his ſervice the officers who had not taken the teſts.

Regardleſs of the addreſs and remonſtrance preſented by the commons, the king ſtill retained in his ſervice thoſe officers who refuſed to ſubmit to the teſts. Though the parliament, in a ſtate of prorogation, was debarred from an opportunity of repeating remonſtrances, and of entering into a fair conteſt with their ſovereign, yet, while the courts of juſtice were open, it was not to be expected, that a people, inſpired with a proper ſenſe of the value of liberty, would be ſo ſhamefully overawed, as not to bring to a legal examination claims of prerogative, pregnant with deſtruction to the conſtitution, and to the religion of their country.

Trial of the diſpenſing power.

Aware of this attack, the king was preparing to meet it with the moſt effectual, and, oſtenſibly, the faireſt weapons of defence. Having founded the ſentiments of the judges, and diſplaced ſuch as were ſuſpected of being inimical to uſurpation, he at laſt accompliſhed a trial of the legality of the diſpenſing power, in circumſtances moſt favourable to his wiſhes. The queſtion was not brought forward at the inſtance of any individual of rank, or of any confederacy or aſſociation of

[18] Warrington. Life of Lord Guilford.

men

men who had a real intereſt in the iſſue of it; or who would have felt, with indignation, the injury of a partial deciſion. A ſervant of Colonel Hales, a Roman catholic, was inſtigated, by the emiſſaries of the court, to lodge an information againſt his maſter, for not having complied with the teſts, and to claim the legal premium of five hundred pounds, payable by the offender. His ſuit was brought before the county aſſize at Rocheſter, when Colonel Hales produced the king's letter, excuſing him from obedience to the teſts. The proſecutor next carried his action to the court of king's bench: the cauſe was argued feebly and coolly in behalf of the informer: every nerve of ingenuity and diligence was exerted by the lawyer for the crown, to defend and legalize the royal diſpenſation. It was accordingly confirmed by the ſentence of the court[19].

CHAP. VII. 1686. April.

Thus armed with the ſanction of the law, the king was reſolved to puſh the advantages of victory, and to exerciſe, in a wider range, that branch of the prerogative which had hitherto been palliated with the pretence of gratitude, and confined to thoſe officers, who had meritoriouſly ſerved him during the rebellion of Monmouth.

The king exerciſes it in the Charter-houſe hoſpital, 17th Dec.

His firſt attempt for this purpoſe, was made upon the Charter-houſe hoſpital: a letter was iſſued under the royal ſeal, directed to the governors, requiring them to admit a penſioner upon the fund, without exacting any ſubſcription or recognition of his conformity to the church of England, or the oath of allegiance; qualifications expreſsly required by the will of the donor. This attempt to violate the laws of the foundation, and to thwart its pious purpoſe, was reſiſted with fidelity and ſpi-

[19] Echard.

rit

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rit by the truſtees, upon whom the king threatened to wreak his vengeance [20].

1686-7. In the univerſity of Cambridge.

The univerſities of Oxford and of Cambridge opened the moſt tempting proſpects to the aſpiring votaries of the Roman religion. If they could once poſſeſs themſelves of the fountains of ſcience, how eaſy would it be to purify the ſtreams that flowed from them? The faith of Rome would again acquire an approved and ſtable dominion in the hearts of the people of England.

Elated with theſe expectations, the king endeavoured to obtain a precedent for the promotion of catholics in the univerſities, by writing a letter to doctor Peachel, vice-chancellor of the univerſity of Cambridge, commanding the admiſſion of Alban Francis, a benedictine monk, to the degree of maſter of arts, without adminiſtering any oath whatſoever, notwithſtanding any law to the contrary. The king's letter was laid before the conſiſtory, and it was unanimouſly reſolved, that they could not comply with his deſire, without breaking their oaths. He was ſtung with diſappointment; and the vice-chancellor, whoſe duty it was to announce the reſolution of the univerſity, was ſummoned to appear before the eccleſiaſtical commiſſion, and ſentenced to loſe his office.

February.

7th May.

In Magdalen college, Oxford.

While yet embroiled in the diſpute with Cambridge, James made an attempt to exerciſe the ſame unlicenſed and obnoxious power upon the univerſity of Oxford, in an affair where the conſequences were ſtill more momentous, and more obvious to the apprehenſion of every ſpectator. The office of preſident of Magdalen college had become vacant, by the death of doctor Clark: the emoluments of the office were conſiderable, its dignity illuſtrious, and the power belonging to it

[20] Ralph.

extenſive.

CHAP. VI.

1687. 11th April.

extenſive. The royal mandate was iſſued, requiring the college to elect one Farmer, a jeſuit prieſt, to be their preſident; accompanied with a diſpenſation, exempting him from the oaths required by law, and by the ſtatutes of the univerſity. The loyalty of the univerſity of Oxford had ſurpaſſed the example of any other public body of men in the reign of the king's father; and had been experienced by James himſelf, during the dependence of the bill of excluſion, when he ſeemed to be forſaken by all his friends. From theſe conſiderations, his majeſty might, perhaps, expect more implicit obedience than he met with at Cambridge; though, ſurely, attachment was ungenerouſly repaid, when it was put to the teſt of betraying a ſacred truſt, and wounding at once the honour of individuals, and the moſt precious intereſts of the corporation. The ſtatutes of the univerſity, which by ſolemn oath they were bound to obſerve, required a conformity to the doctrine of the church of England, as an indiſpenſable qualification of every candidate for any office in the univerſity. The king, to whom they had proffered unlimited obedience, required them to elect a jeſuit prieſt, to fill one of the higheſt offices in the univerſity. Their moral and political creed ſtood in direct contradiction to each other:—What were they to do? they were ready to reſign their rights, their fortunes, and their lives, to gratify the deſire of their ſovereign: they acknowledged no ſecular authority, nor any conſideration, public or private, to reſtrain or circumſcribe their obedience, and they might boaſt, therefore, with truth, a loyalty which was bounded only by the laws of heaven. But here they ſtopped: this was the term of their obedience. They refuſed to trifle with the ſacred obligation of an oath: they pleaded honour, conſcience, the merit of paſt ſervices; but they pleaded

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all in vain. The king remained ſullen, obſtinate, inflexible.

1687. Upon the day of election, eleven votes were given for doctor Hugh, a man reſpectable for learning and abilities, and connected with the college by the office he already filled. Two members beſtowed their votes upon Farmer, agreeably to the deſire of the king. The new preſident immediately complied with the uſual forms, and entered upon the execution of his office.

The vice-preſident and fellows were cited to appear before the eccleſiaſtical commiſſion; Dr. Hugh was deprived of his new office; and Dr. Fairfax the vice-chancellor ſuſpended[22].

Dangerous power of the eccleſiaſtical commiſſion. Aug. 1686.

Theſe acts of oppreſſion and arbitrary power, following immediately the inſtitution of a new eccleſiaſtical commiſſion, indicated ſuch a premeditated plan of tyranny, and ſuch a preparation for an aſſault upon the eſtabliſhed religion, as might well juſtify the agitation and the alarm of his proteſtant ſubjects. The violent proceedings of the high court of commiſſion had drawn the greateſt odium upon the king's father, and, by a ſtatute after the reſtoration, it was declared illegal, and for ever aboliſhed. The change of a name, and the variation of a few external forms, were but a futile device to impoſe upon the underſtanding, and to ſuppreſs the murmurs, of an inſulted nation; while its ſpirit, intention, and capacity of doing miſchief, were the ſame. The members of this court were nominated by the uncontrolled voice of the king; they were empowered to inquire into all offences and miſdemeanors committed by perſons belonging to eccleſiaſtical corporations, univerſities, grammar-ſchools; and to proceed againſt them as the nature and the quality of

[22] State Trials.

the

the offence, aſcertained by evidence, or even imputed by ſtrong ſuſpicion, might require. Cenſure, ſuſpenſion, deprivation and excommunication, were the terrific weapons, which were to be pointed againſt crimes unmarked by any legal deſcription; and the very exiſtence and aggravation of which, in point of fact, were referred, without the intervention of a jury, to the deciſion of judges ſubſervient to the pleaſure of the court. The purpoſe of this new judicatory had been clearly manifeſted in their firſt proceedings againſt the biſhop of London, whom they had ſuſpended from his office, becauſe he had declined to gratify the reſentment of the king, by a violation of all the forms of law and juſtice[23]. They now again

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[23] In order to curb the influence of argument, when it was repugnant to his favourite principles, the king iſſued letters, prohibiting the clergy to touch upon ſubjects of controverſy, under the pretext that it might tend to diſturb the peace of government. Notwithſtanding theſe orders, Dr. Sharp, rector of St. Giles's, had taken the freedom, in a public diſcourſe, of impugning the arguments in defence of popery, and of repreſenting the weakneſs of thoſe, who, having been educated proteſtants, had become proſelytes to that religion. The king, offended as if he had been perſonally attacked, directed a letter to be written, in his name, to the biſhop of London, complaining of Sharp, and deſiring, that he might without delay be ſuſpended from the exerciſe of his office. The biſhop reſpectfully acknowledged the king's letter; but obſerved, that he could not, conſiſtently with the forms of law, ſuſpend Sharp without a citation and an hearing. At the ſame time, to teſtify his reſpect to the royal command, he intimated, that Dr. Sharp was willing to diſcontinue the exerciſe of his office till he ſhould be reſtored to his majeſty's favour.

The offence of the biſhop was now conſidered as ſurpaſſing that of Dr. Sharp, and he was ſummoned to appear before the court of eccleſiaſtical commiſſion for having refuſed obedience to the king's command. He pleaded in his defence, the arguments which he had uſed in his anſwer to the king's letter; he objected to the retroſpective power of the court, which pretended to take cognizance of an offence, if ſuch it might be named, previous to the date of its commiſſion. His defence and objections were over ruled, he was treated with inſult by the judges, and ſuſpended from his office. State Trials, vol. iv.

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became the inſtruments of royal vengeance againſt the fellows of St. Magdalen college, Oxford, who had reſiſted his uſurped authority. They pronounced a ſentence, by which the offenders were diſabled from holding any church preferment.

The king uſes means to obtain a corrupt parliament.

To thoſe who entered with anxiety into the ſtate of the nation, it ſeemed extremely doubtful, whether they had moſt to hope or to fear from the meeting of a new parliament. A parliament modelled by the intrigues, and attached to the intereſt, of the court, would irretrievably ſeal the uſurpations of prerogative, and give the laſt fatal wound to their expiring privileges. Such apprehenſions were unavoidable, when they obſerved the artifices and the indefatigable exertions uſed by the king, to accompliſh a legal ratification of the indulgences which he had already granted, and farther intended, to thoſe of his own religion. He now devoted a great part of his time to counſellors, judges, and gentlemen of property; in order to diſcover their ſentiments, and to engage them to ſupport his favourite meaſures, in their private and official characters[24]. To enlarge the ſphere of perſonal influence, he made a progreſs through ſeveral of the counties of England; and embraced every opportunity of converſing with the nobility and gentry on thoſe ſubjects, which were ever uppermoſt in his thoughts. He argued, promiſed, threatened, in order to work conviction, or to extort approbation. He was diligent in gathering information concerning the principles of others, to whom he had not perſonal acceſs. The lords lieutenants of the counties received orders to aſſemble deputies and juſtices of the peace, within their diſtricts, to diſcover what line of political conduct they intended to purſue;

Aug. Sept

[24] Orleans.

and

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and particularly, whether, if returned members of parliament, they would vote for the repeal of the teſts, and the penal ſtatutes; and promiſe to ſupport only the election of ſuch candidates as ſhould be diſpoſed to comply with the king's pleaſure. The information, derived from theſe various channels of inquiry, was intended for the direction of the lords regulators, a new denomination of commiſſioners, appointed to inquire into the legal qualifications of voters, and the political ſentiments which they held[25]. Though the firſt was the profeſſed object of their juriſdiction; yet it was well underſtood, that the laſt was the true object of their creation, and the ſecret ſpring of all their deciſions.

The new modelling of boroughs by writs of *quo warranto*, was now purſued with the ſame violence as had been done in the late reign; and employed to diminiſh that intereſt, which it was originally contrived to ſupport: an inſtructive warning to men, precipitated by the violence of party ſpirit, to take care, leſt the baſe deſire of reſentment ſhould tempt them to give way to precedents, which may one day be turned to their own deſtruction. In every inſtance where the authority of the new commiſſioners was exerciſed, the influence of the members of the eſtabliſhed church was impaired. Diſſenters were introduced into corporations; they were advanced to magiſterial dignity: they were deſtined to be the repreſentatives of the people in parliament[26].

Diſappointed.

The addreſs, the induſtry, and the new and unconſtitutional regulations employed by the court, did not meet with the ſucceſs expected from them. The king was afraid of ſubmitting the fate of his

[25] Life of Lord Guilford, p. 213.
[26] Echard, Kennet.

favourite

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favourite ſchemes, to the precarious deciſion of parliament. Unable to brook diſappointment, and unwilling to recede from his fond reſolutions, he now ſeemed determined to accompliſh the performance of them, by means the moſt deſperate and alarming to the nation. Notwithſtanding he had loſt a ſupply of ſeven hundred thouſand pounds, by an abrupt prorogation of parliament; yet he had managed his revenue with ſuch dexterous economy, as to be able to maintain a larger army than had been known in any former period of peace. He had ordered that army to be put in warlike array, and encamped on Hounſlow-heath; as if the kingdom had been threatened with immediate invaſion by a foreign power.

Orders his army to be encamped.

Declaration for liberty of conſcience. 4th April 1687, 24th April 1688.

Thus prepared to bid defiance to the laws, the king publiſhed a declaration for liberty of conſcience; and expreſſed his firm purpoſe to diſpenſe with oaths and teſts for the future. This declaration was attended by an order from him in privy council, that it ſhould be read through all the churches in England; and that, for this purpoſe, the biſhops ſhould cauſe it to be ſent and diſtributed through their reſpective dioceſes. By this reſolution the king filled up the meaſure of infatuation, ingratitude, and tyranny; and haſtened the criſis of national deliverance. The church of England had embarked their all with his father; and had fallen with him. Their intereſt, and that of monarchy, had been conſidered as inſeparable. From the period of the reſtoration, they had magnified the prerogative; and had inculcated the moſt abject ſentiments of paſſive obedience. But they were not even ſuffered to be paſſive ſubjects of tyranny: they muſt do violence upon themſelves: they muſt become the inſtruments of their own deſtruction: their obligations to fidelity in their profeſſion, muſt yield to their engagements of allegiance

4th May 1688.

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legiance to the prince. Six biſhops, together with the archbiſhop, met at Lambeth; and, after ſolemn conſultation, reſolved, not to be acceſſory to enſnare the conſciences of the officiating clergy: but to take the whole blame upon themſelves, by refuſing to obey the order of the privy council; and to tranſmit the king's declaration. If there had remained in the breaſt of the prince the ſmalleſt regard to prudence, the refuſal of ſuch a body of men might have warned him, that he had already advanced to the utmoſt verge of wanton authority. It was, as if a voice from heaven had announced, "No farther ſhalt thou go." A petition from the biſhops, drawn up in the moſt reſpectful terms, was pronounced an aggravation of their offence. They were committed to the Tower: they were tried for publiſhing a ſeditious libel againſt his majeſty and his government: they were acquitted. The temper of the nation was conſpicuouſly diſplayed in every ſtage of their proſecution. Innumerable ſpectators, with groans, and tears, and prayers for their ſafety, beheld them carried along as criminals to priſon. When the ſentence of acquittal was pronounced, Weſtminſter-hall, the city, and the camp, reſounded with acclamations of joy.

The biſhops refuſe to tranſmit it to their dioceſes.

18th May.

They are impriſoned, 8th June.

Tried and acquitted, 15th June.

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APPENDIX.

Inquiry whether the Prince of Orange was acceſſary to Monmouth's Invaſion.--He is accuſed by D'Avaux—by Father Orleans.—Arguments in Vindication of the Prince of Orange.—The Reflections of Mr. Macpherſon, upon the Conduct of the Prince of Orange, unfounded and illiberal.

Inquiry whether the prince of Orange was acceſſary to Monmouth's invaſion.

WHETHER the prince of Orange had any part in adviſing, or in promoting, the expedition of the duke of Monmouth, is a queſtion which very materially affects his character, and belongs to the political hiſtory of that period. The whole conduct of the prince of Orange, towards the duke of Monmouth, is repreſented in ſuch a view, and placed in ſuch a connexion by ſome hiſtorians, as to refer to Monmouth's expedition; and by others, the contrivance of it is, in direct terms, laid to his charge. Let us attend to the arguments adduced upon either ſide of the queſtion, and to the characters of the hiſtorians who ſupport them with their credit and authority.

He is accuſed by D'Avaux;

D'Avaux, the French reſident in Holland, deſcends into a minute deſcription of the aſſiduous attentions exerciſed by the prince and princeſs of Orange, to flatter the vanity, and court the friendſhip, of Monmouth, while he continued in Holland, during the latter part of the reign of Charles II. The prince of Orange ordered his guards to ſalute Monmouth, a mark of reſpect ſeldom paid

paid to any but the legitimate relations of the royal family: he allowed him to enter into his private apartments, with the familiarity of a domeſtic: he conſulted with him often, and upon affairs of moment: he beſtowed the moſt important favours upon his recommendation: he departed from his natural reſerve and gravity, by entering into thoſe gay amuſements which were adapted to the frivolous taſte of his gueſt. The princeſs of Orange, in obedience to the orders of her huſband, ſcrupled not to ſtoop to ridiculous and even indecent levities, for the amuſement of her relation. Theſe extravagant condeſcenſions, it is inſinuated, were not made without a view of enſnaring the confidence and acquiring an aſcendency over the mind of Monmouth, deſtined as a tool to work out the dark ſchemes of William, ever political and projecting[1].

More directly to the purpoſe, it is aſſerted by the ſame author, that, upon the news of the death of Charles II., the prince was ſhut up in cloſe conſultation with Monmouth, at midnight[2]. That after his departure to Bruſſels, he maintained a conſtant correſpondence with Mr. Bentinck, the prince's greateſt confident: that he afterwards returned to Amſterdam, where he lived *incognito*, and made the neceſſary preparations for his expedition into England; circumſtances too important to eſcape the knowledge of the prince: who, when applied to by Skelton, the ambaſſador of James, to ſtop two veſſels in the Texel, retained for the ſervice of Monmouth, contrived delays, in order that they might eſcape; and that he did not exert himſelf, with zeal and activity correſponding to

[1] D'Avaux, 18th and 25th January 1685.
[2] Ibid. 22d February.

his

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his duty and engagements to James, to discover and counteract the consultations and projects of the English refugees associated with Monmouth [3].

The same historian mentions his having heard, that the king of England had found letters written by the prince of Orange, which discovered the intelligence he had with Monmouth; and that he had afterwards met with a contract between William and Monmouth, in which both consented to promote the princess of Orange to the throne, provided that Monmouth was allowed to hold the first place of authority in the kingdom [4].

by James;

King James, in positive terms, ascribes the invasion by Monmouth to the counsel and assistance of his son-in-law; and assigns this plausible reason, which induced him to depart so flagrantly from the ties of affection, and the professions of filial respect and duty, which he openly made. "As the prince had only two rivals, who stood "between him and the throne, the most obvious "policy suggested to him the playing the one "against the other; and in prosecution of this "design, to instigate Monmouth to invade the "throne of England: an attempt, which, in "every issue of it, must necessarily be produc-"tive of his private advantage. The success of "the duke of Monmouth, if it happened, would "demonstrate the inclinations of the people of "England, to prefer an imperfect title to the "throne, when the interest of religion was at "stake. The illegitimacy of his birth, as well "as his unfitness for government, would easily "induce the nation, upon cool reflection, to "transfer their affections to the prince and prin-

[3] D'Avaux, 8th March, 29th April.
[4] Ibid. 30th May 1686.

"cess

"ceſs of Orange, the next lawful heirs of the "proteſtant perſuaſion. But if an event more "probable ſhould take place, if Monmouth "ſhould be defeated, and his perſon fall into the "hands of the king, the prince might expect to "ſucceed to his intereſt and friends, and to "advance one ſtep nearer to the throne of Eng-"land [5]."

The ſingle fact, adduced in ſupport of theſe conjectures concerning the ambitious ſpeculations of William, is, that Bentinck, who was ſent by him to congratulate king James upon the defeat of Monmouth, was viſibly alarmed and perplexed, when he was informed, that the king had conſented to admit Monmouth into his preſence, leſt he ſhould purchaſe his pardon by diſcovering the treachery of the prince of Orange, and "that he was never at eaſe till Monmouth's head "was cut off. [6]"

by father Orleans.

Father Orleans not only coincides with James in accuſing the prince of Orange of being privy to, and aſſiſting, the expedition of Monmouth, but is at pains to remove an objection to this opinion, which might be drawn from the prince's conduct in ſending Bentinck to make an offer to James of the troops of Holland, and his perſonal ſervice againſt Monmouth. This, he alleges, was occaſioned by the imprudent ambition of Monmouth, who, contrary to the terms of agreement between him and William, had aſſumed the title of king, and provoked reſentment in that quarter from which he expected to have drawn aſſiſtance [7].

[5] Life of James, 1685, Extract 4.
[6] Ibid. November 26, 1685.
[7] Orleans, 1685.

Let

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Arguments in vindication of the prince of Orange.

Let us attend to the evidence on the other ſide: The trifling anecdotes, relative to the intercourſe between the prince of Orange and Monmouth, and the civilities the former ſhewed the latter, happened previous to the death of Charles the Second, and cannot fairly be imputed to any immediate view to the throne of England; and, with ſtill leſs propriety, can they be admitted as a proof of the prince's participation of Monmouth's expedition, occaſioned by an event at that period contingent and unexpected. Though Charles the Second was much under the influence of his brother, and, in order to diſcourage Monmouth from interfering with him in the ſucceſſion to the throne, had announced external expreſſions of diſpleaſure againſt his ſon, yet, as he ſtill loved him with great tenderneſs, it can ſcarcely be believed, that he was diſſatisfied ſo much, as he profeſſed to be, with the diſtinction and kindneſs with which his nephew treated Monmouth when his gueſt. This reaſon the prince of Orange aſſigns in a letter to his confident Bentinck, in which he complains of Mr. Chudleigh's inſolence, for having reproved him for it in name of the king [8]. "He is the ſon," ſays he, "whom "he has pardoned for the faults he has commit-"ed, and though he has removed him from his "preſence, I know that, in the bottom of his "heart, he has always ſome friendſhip for him, "and that the king cannot be angry with him." There is a note in Monmouth's pocket book,

[8] Chudleigh, inſtead of addreſſing the prince to remove Monmouth, addreſſed the Dutch officers, and forbad them to ſalute him, which ſo provoked the prince, that he lifted his hand to Chudleigh. Secret Hiſtory, vol. ii. p. 9. The prince had ordered his troops to pay military honours to Monmouth, becauſe he had ſerved with him as a general in the Netherlands.

ſeized

ſeized when he was apprehended, from which it appears, that Charles could not ſuppreſs his affection for him, even at the time that he put him under diſgrace. "He could not," ſays he, "diſſemble his ſatisfaction, he preſſed my "hand [9]."

D'Avaux himſelf, in the ſame way, accounts for the prince of Orange's diſregard to the public orders he received from England, by continuing to entertain Monmouth at his court. "The "prince," ſays he, "has not loſt his under-"ſtanding, but he muſt have been quite bereft "of it by ſuch behaviour towards the king of "England, if he had not been aſſured, that his "majeſty was ſecretly pleaſed with it [10]." And after the acceſſion of James, he ſays, upon the authority of count de Waldeck, "that the late "king of England was very well pleaſed with the "prince's honourable treatment of Mon-"mouth [11]."

From theſe teſtimonies it appears, that William did not loſe ſight of prudence while he careſſed his exiled friend. The public and avowed will of princes often expreſs a direct contradiction to their private wiſhes and affections, and are ſo interpreted by the perſons to whom they are addreſſed. It is not improbable, that the prince of Orange had full aſſurance, that while he violated the orders of the king, formally announced by the mouth of his ambaſſador, he gratified the affections of the parent, and formed the moſt acceptable pretenſions to the gratitude of his uncle. Independently of all prudential conſiderations,

[9] Wellwood, Ap. No. 14.
[10] D'Avaux, 25th January 1685.
[11] Ibid. 1ſt March.

may

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may not ſome influence be aſcribed to the temper and inſinuating manners of Monmouth? He poſſeſſed ſome ſhare of the wit, and all the graces of his father, freed from the awe and reſtraint impoſed by elevation of rank. It is no wonder if theſe qualities at times tempted the prince to lay aſide that auſterity, which a life, haraſſed with care and tumult, and occupied with the moſt important buſineſs, had increaſed to a degree offenſive to his moſt familiar friends. From the intimacy that ſubſiſted between Monmouth and the prince of Orange, it might naturally be expected, that they would mutually converſe and conſult together upon any buſineſs of importance to either of them. That they did ſo, upon the news of the death of the king of England, may be fairly admitted; but ſince the reſult of theſe conſultations has not tranſpired, no criminality can be inferred from them, nor do they carry any evidence of the prince's interference with the expedition of Monmouth.

The ſtory, which D'Avaux mentions, of the king of England having found letters of the prince of Orange, which diſcovered his correſpondence with Monmouth, and of his having found a contract between the prince and Monmouth, bears no marks of authenticity; it is only hearſay evidence. Not one of the authors of the ſtory is named. The ſubject of the letters is not ſpecified; the contract, it is admitted, was not ſigned. The contents of it; namely, that the princeſs of Orange ſhould be queen of England; were quite irreconcilable with the determined reſolution of William, not to hold the crown of England in dependance upon his wife. It is remarkable, that James, in the hiſtory of his life, takes no notice of having found ſuch a contract and ſuch letters; an omiſſion unaccountable, when

when we consider how much this discovery would have reflected upon the character of the prince of Orange. Not the least credit can be given to a story so vague, so ill supported, so full of contradiction and absurdity.

With regard to the backwardness of William, in not seizing the ships supposed to be retained for the service of Monmouth, and in not doing what he might have done to obstruct his expedition; the first of these; namely, the seizing of the ships retained for the service of Monmouth, was the proper duty of the court of admiralty at Amsterdam, and the blame of not doing it falls to its charge [12]. The circuitous, cumbersome forms, arising from the constitution of the States, afford persons in administration a specious pretext for the delay of business which they do not cordially wish to promote. The connexion which William had formed with many of the English refugees, who were friends to Monmouth, with views, no doubt, political, though not criminal, rendered him unwilling to make a strict inquiry about them, or to do any thing to forfeit their esteem and affections, though he might not be privy to their immediate designs. The States, who might have co-operated with William in any effectual search after the disaffected subjects of James, entertained strong prejudices against that prince on account of his religion, and the suspicion they entertained of his having fomented the divisions between them and England, during the reign of his brother. The protection of strangers is a fundamental principle in the constitution of the States, and a delicate, inflexible adherence to it might, upon this occasion as well as upon others, be interpreted a connivance at those who claimed

[12] Ralph, vol i p. 855.

the

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the benefit of ſuch protection. D'Avaux ſuggeſts arguments, which ſerve for the exculpation of William from any ſhare in Monmouth's expedition. The prince, according to his teſtimony, adviſed Monmouth to write a letter to James upon his acceſſion to the throne, aſſuring him of his entire fidelity and obedience as a ſubject [13].

With regard to the remarks contained in the life of James, they are merely conjectural, and are evidently tinged with the ſuſpicion and the reſentment generated by his mifortunes. The life of James was compoſed, while he lived in a ſtate of degradation and exile, depreſſed, doubtful, perhaps deſpairing, of the future reſtoration of his family. Though his own imprudence was the cauſe, the prince of Orange, however unblamably or laudably, was the immediate inſtrument of the diſgrace and calamities with which he was loaded. Is it matter of ſurpriſe, if diſappointment and reſentment magnified, in the conception of James, every circumſtance, which appeared to him ungenerous and immoral in the conduct of his ſon-in-law; or that he imputed to him a ſhare in every previous plot and aſſociation, which had contributed to diſturb his peace, or ſtrip him of his dignity? When we think that any perſon has grievouſly injured us, indignant imagination accumulates his crimes beyond the bounds of evidence, and puts a conſtruction upon preceding actions, which did not enter into our minds when unruffled by paſſion, at the time that they firſt paſſed under our review, and which, to the unprejudiced and diſintereſted judge, appear harſh and inadmiſſible. We charge our adverſaries with motives and projects, which either exiſted not at all, or were evidently ſuggeſted by

[13] D'Avaux, 27th February, 1685.

circumſtances

circumſtances poſterior to the date affixed to their commencement, by the partial and the exaſperated mind. CHAP. VII. APPENDIX.

The offer which the prince made by Bentinck, of ſerving in perſon at the head of the troops againſt Monmouth, is a ſufficient confutation of his being concerned in that expedition. "This "might be granted," ſays father Orleans, "if "it were not for this conſideration, that Mon- "mouth's having aſſumed the title of king, in "direct violation of the contract between him "and the prince, provoked the latter to lend his "aid to thwart the ambition of the former, and, "at the ſame time, to pretend to great merit by "the offer of his ſervices to his father-in-law." But the diſproof of this allegation reſts not upon conjecture, but upon a matter of fact. When Bentinck was ſent over to make an offer of the Dutch troops, the prince of Orange was ignorant of Monmouth's having aſſumed the title of king; for he was firſt proclaimed at Taunton, upon the very day that Bentinck had his audience at Whitehall [14].

How improbable the ſtory concerning the apprehenſions of the Dutch ambaſſador, when he heard that Monmouth was to be admitted into the preſence of the king, leſt he ſhould diſcover the treachery of his maſter? The habitual prudence and reſerve of William, the openneſs and levity of Monmouth, rendered it to the laſt degree improbable, that the former, whatever he wiſhed or intended, would have put himſelf entirely in the power of the latter, by expreſſing, or even in the moſt diſtant manner inſinuating approbation of his conduct, or by entruſting him with a ſecret,

[14] Biogr. Brit. vol. ii. p. 210. Secret Hiſtory of Europe, vol. ii. p. 18.

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which might one day be divulged, to the injury of his own reputation, and to the utter ruin of his intereſt in England. Or, if he had imprudently ventured ſo far, would he have provoked Monmouth to expoſe his ſhame; by openly ſending an ambaſſador, to congratulate James upon the ſuppreſſion of a rebellion, which he himſelf had inſtigated? And why ſhould the ambaſſador only dread a perſonal interview between James and his nephew? Might not Monmouth by writing, or at ſecond hand, by a verbal meſſage, have imparted the fatal ſecret? He did actually write a letter to James. To what purpoſe? Not accuſing, but in the moſt expreſs terms acquitting the prince and princeſs of Orange, of all ſhare and participation of his crime. He moves it as a mitigation of his guilt, that it was not the offſpring of his own heart, but the ſuggeſtion of evil counſellors; and as an evidence of this, he adds, that the prince and princeſs of Orange will bear witneſs for me, that I gave my promiſe to them, that I never would ſtir againſt your majeſty [15].

With regard to the character of father Orleans as an hiſtorian, it is of importance, once for all, to obſerve, that whatever occurs to invalidate the evidence of James, in this or in any other inſtance, produced to impeach the character of the prince of Orange, may with equal force be urged as an exception to the authority of Orleans. Orleans profeſſes to derive all his information from James, and even boaſts of taking up his pen, at his deſire, and in his vindication [16].

To what has been already obſerved, I may add, that many external circumſtances, as well

[15] Echard, vol. iii. p. 771.
[16] See Preface to his Hiſtory.

as

e behaviour and true intereſt of the prince
ange, ſuggeſt ſtrong arguments for his
tal of the charge of inſtigating the rebel-
f Monmouth. Impelled by every motive
dence, the prince of Orange diſcovered
oſt anxious ſolicitude to maintain a ſtrict
ſhip with his father-in law, after his ac-
to the throne of England. Involved in
ic and foreign dangers, his authority as
lder, conſtantly oppoſed by the city of
rdam, which watched every opportunity to
or overturn it, ſtood upon a tottering ba-
The reſtleſs ambition and reſentment of
had deſtined his deſtruction. The only
le means of ſecuring his perſonal authori-
d the peace and independence of the States,
to flow from the ſuccour and the friend-
England. He was at this very time ne-
ng an alliance againſt France, to which
ceſſion of James was eſſential, and he en-
ed the moſt ſanguine hopes of obtaining
ith regard to his views on the ſucceſſion
e crown of England, they were more
to be obſtructed, than promoted, by the
tion of Monmouth, whatever the event
ight be. The ſucceſs of Monmouth, if
taken place, would not have been eaſily
ned. His defeat could only tend to diſ-
e the hopes and future attempts of the diſ-
party in England, to increaſe the power
abliſh the throne of the reigning prince,
remove, till the event of his death, all
of that elevation, at which the prince of
is repreſented to have precipitately graſped;
ouraging and aiding rebellion.

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The reflections of Mr. Macpherſon upon the conduct of the prince unfounded and illiberal.

I have the more largely inſiſted on this ſubject, becauſe a modern hiſtorian, Mr. Macpherſon, has not only decided peremptorily concerning the prince of Orange's connexion with Monmouth, in his expedition againſt James, but, an artful arrangement of his ſtory, repreſents his conduct towards Monmouth, for many preceding years, as formed and directed with a view to that event [17]. The following ſentence, particularly deſerves to be attended to, becauſe it ſeems to ſuggeſt matter for confutation of the opinion which it contains. "The generoſity of "the prince," ſays he, "equalled not his prof"feſſed zeal for the ſervice of Monmouth. The "unfortunate duke derived from his own purſe "and jewels, his whole treaſure for proſecuting "the war [18]." Is it not unfair to aſſume, as a fact, what is not proved; nay, what is ſo even againſt evidence; namely, the zeal of William for Monmouth's ſervice? Is there not a preſumption, by himſelf, a ſtrong preſumption againſt what he aſſerts as a fact? He gave him no money. Did he that like zeal for his ſervice?

After all, the arguments now adduced are to be conſidered as referring to this ſingle queſtion, "Whether there is any reaſon to believe that "the prince of Orange adviſed, or abetted the "expedition of Monmouth? Whether he was "a partner in his guilt?" The prince of Orange, we may naturally ſuppoſe, from the period of his marriage, had his thoughts ſometimes turned towards the throne of England. He cultivated an intimate connexion with many perſons obnoxious to the diſpleaſure of his uncle and his father-in-law; his motives for ſo doing

[17] Macpherſon, vol. i. c. 7.
[18] Ibid.

f a mixed nature. He was not inſenſible to the
ms of ambition; the throne of England
ht one day devolve upon him in the line of
ſucceſſion, and prudence ſuggeſted a watch-
eye to the ſtate of parties, and to the uſe of
awful means to increaſe his friends, and
gthen his intereſt. Nor would it be candid
ithhold credit to him for more generous mo-
. He was a true friend to the proteſtant reli-
. Though enough anxious about maintain-
his own authority at home, he wiſhed alſo to
re the independence of his native country,
to ſave it from the invaſion of an ambi-
s neighbour, who had marked it for his prey.
political conduct both of Charles and of
es interfered with his private intereſt and moſt
ral purpoſes; and we need not wonder, that,
is turn, he endeavoured to thwart their mea-
s, and for this end embarked with thoſe in
land, who ſtruggled for the depreſſion of re-
power, and the ſecurity of liberty and of the
teſtant religon [19].

[19] We find in the life of Principal Carſtairs, by Dr. Cormick, an inſinuation of the prince of Orange having been ſſary to Argyle's rebellion; an event generally underſtood ave been connected with Monmouth's invaſion. "In a paper f accounts of money diſburſed by him for the prince's ſervice, find a ſum ſtated to a captain Wiſhart, who was maſter of e veſſel in which lord Argyle went home; *of whoſe honeſty nd willingneſs to ſerve the prince, I am well aſſured.*" Life Carſtairs, p. 35.

Dr. M'Cormick adds, "This is the only evidence I have ever et with, that Monmouth and Argyle were countenanced in heir undertaking by the prince of Orange. Here we have William giving money to the perſon who brought Argyle ver, in order to aſſiſt the duke of Monmouth in his rebellion, t the very time when he is offering to James to come in per-on to extinguiſh that rebellion. The publiſher leaves it to political caſuiſts to ſolve this phænomenon."

It

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It does not appear, that Carſtairs gave this money to Wiſh as a reward for having carried Argyle to Scotland, or that was given with the knowledge, or by the direction, of Willi In the ſeries of political intrigues the prince of Orange was ca rying on in Scotland, juſtifiable by a regard to his own inter and alſo by a zeal for the cauſe of liberty, he muſt of neceſ have left a diſcretionary power to his principal agents, both w reſpect to the concerting of meaſures, and the beſtowing money. Mr. Carſtairs might approve of Argyle's expediti though William was ignorant of it; and might pay Wiſh money upon that very account, out of the fund which was into his hands for the ſervice of the prince and his friends general, without any ſpecification of the articles to which was to be applied. Intruſted with a diſcretionary power, agents of the prince, from motives of delicacy, in the caſe luded to, might conceal both the meaſures and diſburſemen which they authoriſed. Conſidering the needy condition William's friends in Scotland, and the expence of their politi negotiations, it is probable, that the maſter of every ſhip, fit from Holland or Scotland, whom they could truſt, would ceive money from William's agents, to tranſmit to their frien in repayment of ſums which had been advanced, or were to advanced in carrying on the patriotic cauſe. Unleſs the pur ſes for which this ſum was paid had been mentioned, or the vity of William to it aſſerted, his character contracts no from this diſcovery.

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CHAP. VIII.

Immediate Cauſes of the Revolution.—The bigotted Attachment of the King to the Roman Catholic Religion.—His Claim to the diſpenſing Power.—The Abilities, Activity, and Intrigues, of the Prince of Orange.—Political State of Europe.—Union among the States of Holland.—Ill Fortune and imprudent Conduct of James.—The Declaration of the Prince of Orange.

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Immediate cauſes of the revolution.

FROM the facts recited above, we can be at no loſs to account for that entire change in the temper of the nation, which paved the way for the ſubſequent revolution of government. But, in order to enable the reader clearly to underſtand the political hiſtory of that period, it may be uſeful to point out the immediate connexion between cauſes and effects; to enlarge more fully upon thoſe meaſures of government, which ſpread alarm and diſaffection; to enter, in ſome meaſure, into the motives, and reaſonings, and paſſions, which pervaded the generality of the people, and combined the efforts of men of the moſt oppoſite principles and intereſts, to work the national deliverance. Signal revolutions, in the ſtate of nations and government, are rarely accompliſhed by any ſingle event, however important, or by the ſole operation of internal cauſes. A happy coincidence of contingent events, and

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of the diſpoſitions and intereſts of thoſe who are not ſo immediately affected by them, are neceſſary to give ſucceſs to enterpriſes, which, though ariſing from oppreſſion, and conducted with wiſdom and courage, might have been expoſed to the charge of raſhneſs and criminality, if they had failed of the ſucceſs at which they aimed.

The bigotted attachment of the king to the Roman catholic religion.

1. The evident deſign of the king, to encourage and to propagate the Roman catholic religion, and the means employed to carry that deſign into execution, were juſtly alarming to the great body of the people; impeached his wiſdom and integrity, with the reflecting part of mankind; and impaired the attachment of thoſe who were beſt affected to his perſon and government. The undiſturbed exerciſe of his own religion he might have enjoyed, not only without loſs of reputation, but, perhaps, with advantage to his character. There is ſomething in principle, however wild and unreaſonable it may appear, which excites a reverence for the perſon who maintains it; and when the fervour of oppoſing zeal abates, and the quiet poſſeſſion of our own opinions is ſecured from aſſault and danger, the ſteadineſs of thoſe who differ from us, raiſes our opinion of their integrity, in a proportion which more than compenſates for the impeachment of their judgment. We eſteem the virtues of the heart; we pity, rather than condemn, the errors of the head. The openneſs and reſolution of the prince, in having avowed his converſion, at a period when it endangered his ſucceſſion to the throne and interrupted domeſtic tranquility; his conſiſtency and perſeverance in the ſame profeſſion, placed for a while, in an illuſtrious view, his character for ſincerity. A favourable opinion of his ſincerity, obtained implicit credit to whatever he declared.

declared. His promiſe at his acceſſion, repeated in his firſt addreſs to parliament, to maintain the eſtabliſhed religion and government, removed every gloomy apprehenſion, and gave entire ſatisfaction to his proteſtant ſubjects. But when the prince forfeited the character of ſincerity, when his actions and meaſures were directly repugnant to his promiſes and declarations; eſteem and loyalty declined apace; the apprehenſion of danger roſe to the utmoſt pitch. It was no longer reſtrained by that perſonal attachment, which oppoſes the tender feelings of affection to the dictates of prudence and a ſenſe of duty. The moſt ſincere friends of the king, were thoſe who, from principle, were ſtill more cordially wedded to the intereſt of the church of England. What could the prince mean, by his promiſe to maintain the eſtabliſhed religion; or, what could the nation expect from this promiſe, but that he was to allow the legal diſadvantages, impoſed upon thoſe of a different perſuaſion, to continue as he found them at his acceſſion to the throne? Was it not the labour of his reign, by artifice and violence to remove them? Was there one ſtone of the partition wall allowed to ſtand? If catholic officers were admitted into the army; if members of corporations were not required to conform to the eſtabliſhed church; if ſchools and univerſities, as much the fountain of prejudice as of truth, were to be open to the moſt learned and intriguing of the church of Rome, in what ſenſe could the eſtabliſhed religion be ſaid to be maintained? By what ſophiſtry or refinement of argument could the royal honour be vindicated; or, the prince held forth as a model of truth and ſincerity? CHAP. VIII.

But, allowing that the king had been bound by no promiſe, and that he might, conſiſtently with honour,

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honour, have done all that he could, to ſupport and to promote his favourite faith; yet his ſchemes were neither concerted with deliberation, nor executed with prudence, adequate to the arduous taſk he wiſhed to accompliſh. Many intereſting events, which had occurred in the reign of his father and brother, and his own experience of a narrow eſcape from degradation and exile, might have afforded this prince the moſt affecting evidences of the deep-rooted averſion of the people of England, againſt the Roman catholic religion. If, notwithſtanding theſe, conſcience impelled him to ruſh upon difficulties and dangers; prudence demanded the utmoſt exertion of ingenuity, in deviſing methods to diminiſh and to overcome them. On the contrary, all his ſchemes were precipitate, violent, and, to the laſt degree, alarming to thoſe who had any intereſt in oppoſing them. He was like a vain and raſh general, who, relying entirely upon his own undaunted courage, not only deſpiſes artifice and ſtratagem, but, with frantic inſolence, proclaims to his enemies the quarter towards which he next intends to direct his arms, ere he has yet made the neceſſary preparations for the attack. The ſilent, but powerful influence of exalted ſtation, if it had not been attended with a defiance of law, might have gone far to gratify his fond deſire of proſelytiſm; and could hardly have failed, in progreſs of time, to have attracted a reſpectable number of followers. The motives, by which the king might, imperceptibly, have moulded the inclinations of the more ſelfiſh and intereſted part of his ſubjects; the authority of perſons of rank and unſteady principle, whoſe mean ſervility would have led them to prefer the religion of the court; muſt have produced a wide influence, and gained over many converts to

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to the royal faith. Had he patiently waited the operation of theſe cauſes, before he had recourſe to open and violent meaſures for converting his ſubjects, the impreſſions he would have made, and the ſucceſs he would have gained, might have divided the inclinations and the ſtrength of the nation, and cramped thoſe reſources, which invited a ſagacious prince, to the certain proſpect of working out his own elevation, and the deliverance of an oppreſſed people. An ambaſſador commiſſioned to attend the court of Rome, and to ſolicit a reconciliation to the kingdom of England: Roman catholics inveſted with dignity and office: a Roman catholic biſhop conſecrated within the walls of the chapel royal: Monks, Jeſuits, Recollects, Carmelites, who had hitherto ſculked in darkneſs and obſcurity, received at court, crowding to places of the moſt public reſort, and eſſaying converſions in the face of day; were ſuch unequivocal annunciations of the king's intentions, as at once overturned the confidence hitherto repoſed in his promiſes, and called for the moſt ſpeedy and boldeſt weapons of reſiſtance.

His claim to the diſpenſing power.

2. The claim of the diſpenſing power, exerciſed in favour of the Roman catholics, and ratified by the judges, ſpread an univerſal alarm, multiplied the number of the diſaffected, and haſtened thoſe ſchemes and conſultations which tended to a revolution of government. If it were the object of inquiry, to aſcertain the point of law as it then ſtood, with reſpect to the diſpenſing power of the crown, or to determine concerning the integrity of the judges, who formed that unpopular deciſion, which ſo much agitated the friends of liberty, it would, for that purpoſe, be incumbent upon me, to collect examples of the claims and the practice of the kings of

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of England from the earlieſt ages, and of the reſiſtance and conceſſions of the people, ſo far as they relate to this ſubject. The reſult of this inquiry would be ſuch, as attends every other queſtion, relative to the interfering privileges of different component branches of any government, before it has attained a mature form and regular eſtabliſhment. Fluctuating intereſts, changing prejudices, the ebb and flow of regal power, afford various and contradictory precedents, and, of conſequence, ſpecious authorities in ſupport of inconſiſtent propoſitions. But, without entering into the debates on the force of ſtate precedents, when oppoſed to national freedom and happineſs, and without ſeeking for counter precedents, which abound in the hiſtory of our conſtitutional ſtruggles, to balance theſe authorities, the preſent occaſion afforded ground peculiar to itſelf, for arraigning both the wiſdom and the integrity of thoſe, who ſided with prerogative, in the momentous queſtion, which now rivetted the attention, and rouſed the zeal of every patriot. Particular penal ſtatutes had been enacted for the ſole purpoſe of ſecuring the ſafety of the royal perſon, or maintaining the dignity of the crown. Prudence and mercy might concur in recommending a mitigation or ſuſpenſion of theſe. There are ſeaſons, when lenity may tend to ſoften that outrageous diſaffection, which the rigid execution of law cannot ſubdue, and when mercy dictates, and juſtice does not forbid, the generous interpoſition of prerogative. The king might wave the exerciſe of penal authority, with which the law had intruſted him for his own defence and advantage; juſt upon the ſame ground, that every private perſon may forbear to proſecute the man who has encroached upon his right, when the rigorous exaction of law can only contribute to the accumulation

mulation of injury and of danger to himſelf. In other inſtances, where, from the overſight of the legiſlature, or the change of circumſtances, a rigid proſecution of law would counteract the ſpirit of the conſtitution, and become oppreſſive to individuals without any benefit to the public, the king, though the guardian of the laws, might ſuffer them to be neglected or tranſgreſſed with impunity. And ſtill, with greater propriety, might his connivance be admitted in caſes, where expediency and public intereſt, acknowledged by the unanimous voice of the people, recommended it. But, in the preſent queſtion, without the ſhadow of reſpect to any of theſe conſiderations, without any motive drawn from public advantage, or his own private ſafety, the ſovereign preferred his claim to the diſpenſing power, in order to extort from his ſubjects the moſt valuable immunities, aſſured by the uniform tenor of the laws. By theſe his majeſty's proteſtant ſubjects had acquired an excluſive property in all public offices, eccleſiaſtical, civil, and military. If the king, without their conſent, could deprive them of this privilege, or, by virtue of the prerogative alone, abrogate any law, which, without the advice of the national repreſentatives, he could not frame: what was there in the rights of an Engliſhman that remained independent and ſecure? But it was not merely the narrow view of intereſt, that called forth reſiſtance; though, upon that ground, it might have been vindicated, by every principle of reaſon and of juſtice. Their religion they held to be dearer than their fortunes or their lives. Their religion their fathers and themſelves had laboured to ſecure, by every means of aſſurance and defence, within the compaſs of the laws. But, if theſe were to be overturned by the

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the breath of an arbitrary monarch, how vain their paſt labours! how diſmal their future expectations! What a notorious breach of faith in the prince; and how mortifying to thoſe who were affected by it! Nothing ſo much exaſperates the mind, as the reflection of having been duped by the perſons in whom we moſt confided, and whoſe intereſts we intended to ſerve, by the very conceſſions which have been turned againſt us. During the dependence of the queſtion concerning the excluſion, all parties were of one mind in reprobating the Roman catholic religion. The only difference of opinion aroſe, from the various modes propoſed, in order to guard againſt the dreaded miſchief. Some contended, that nothing leſs than an abſolute excluſion of a popiſh heir, could ſave the religion of the nation; while others profeſſed to believe, that teſts and penal ſtatutes were adequate to every purpoſe of public intereſt and private juſtice, to maintain at once the line of ſucceſſion unbroken, and the privileges of the ſubject inviolate. The perſonal friends of the duke of York filled the laſt claſs. Of the effect and the ſtability of the laws, they entertained not the ſmalleſt ſuſpicion. If it had ever been imagined, that a power of diſpenſing with the laws was affixed to the crown, the diſpute would have been ſpeedily brought to an end, and the preſent king never would have been permitted to graſp that authority, which he now ſtretched to the confuſion of his friends, by thwarting all thoſe declarations of maintaining the proteſtant religion, upon which they had too implicitly been engaged to lean.

There are certain propoſitions, which appear intuitively ſo prepoſterous, that it is impoſſible any deſcription or argument can add to the diſapprobation and abhorrence with which they are contemplated by every ſound and upright mind. If a king be veſted with a diſcretionary power of diſpenſing

penſing with the laws, what remains deſerving of the name of a free conſtitution, or of a ſettled government? Acts of parliament become a collection of inſignificant letters; judges and courts of juſtice not more important than a piece of theatrical pageantry. The ſecurity of every thing ſacred and valuable is at an end, and the inhabitants of Britain would enjoy no pre-eminence over the wretched ſlaves, who bow with terror and implicit ſubmiſſion to the edicts of a tyrannical deſpot. Far from pre-eminence, every circumſtance of mortification and of wretchedneſs muſt belong to thoſe, who formerly made their boaſt among the nations. Men born in ſlavery cannot comprehend the value of a bleſſing they never experienced; and the ſympathy of ſpectators often exceeds the bounds of their ſufferings. The elevation of mind, formed by the habit of liberty, plunges the man who is bereaved of that liberty, into the loweſt abyſs of miſery and deſpair[1].

Men, of every ſtation and party, yielded themſelves to the deep impreſſion of theſe ſentiments. The religion and the rights of their country were intereſting concerns to every patriotic and generous heart. Thoſe who, in the former reign, had invariably exalted the prerogative of the prince, now opened their eyes to dangers, which, in a moment, overturned their ſpecious theories. They perceived that there was a point, at which ſubmiſſion ought to end, and reſiſtance to begin. Thoſe who were attached to the perſon and family of the prince, lamented with unavailing ſorrow, that incurable bigotry, which puſhed him headlong upon irretrievable deſtruction. It was no longer neceſſary to tell men what their grievances were, or to inflame their imaginations, by exaggerated deſcriptions of them. They felt them; they were ever preſent to their view; they apprehended the full

[1] Warrington's Works: Sir Edward Herbert's Defence. State Trials.

extent

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extent of their danger. Some expedient for redreſs, ſome plan of deliverance, was the object, in which the wiſhes of every party centered; and when propoſed, might be expected, without any previous concert, to collect the cheerful efforts of the nation. The ſmalleſt deviation from the eſtabliſhed government was likely to be adopted with the moſt unanimous conſent, and effected with the greateſt eaſe and expedition. The experiment of republican government had been already tried by the nation, and the anarchy and tyranny which ſprang from it were remembered with diſguſt. Perſons who were loyal in principle, but who loved the conſtitution and religion more than the prince, if nothing leſs than his depoſition could ſecure theſe, would naturally transfer their allegiance to the next lineal and legitimate heir. The religion of the prince of Orange, his illuſtrious talents, as a ſtateſman and as a warrior, his near relation to the royal family, recommended him as the fitteſt inſtrument, to deliver the nation from impending ruin, and to maintain, unimpaired, the proſperity and the conſtitution of England.

The abilities, activity, and intrigues of the prince of Orange.

3. The activity, vigilance, and intrigues of the prince of Orange, coincided exactly with the neceſſity and the deſires of the people of England, and contributed to accompliſh a revolution of government, with expedition and unanimity, which could not have happened, under the conduct of a perſon, leſs diſtinguiſhed for abilities, or by blood more diſtantly related to the reigning prince. In order to illuſtrate this obſervation, it is of importance, not only to attend to thoſe facts, which clearly evince the interference of the prince of Orange in the political affairs of England, but alſo to inveſtigate the motives and views by which that interference was attracted, and the purpoſes to which it was conducted. Ambition is a paſſion ſo prevalent

prevalent in the human mind, that we ſeldom admit of any other motive, as the ſpring of thoſe meaſures which terminate in the enlargement of power. But, as power is the inſtrument of beneficence, as well as perſonal aggrandizement, it is but fair to inquire into the means by which it has been ſought, and the uſe to which it has been applied, before we pronounce ſentence concerning the character of the man who has purſued it with uncommon ſucceſs.

The prince of Orange, almoſt upon his firſt entrance into the world, was doomed to ſhare in the misfortunes of the royal family of England. His private fortune was impaired, by the generous aſſiſtance which his father gave to Charles II. to enable him to recover the throne of England. Oliver Cromwell, from an implacable reſentment to the family of Stuart, whoſe power he wiſhed to extirpate in all its branches, made it an expreſs condition of reſtoring peace to Holland, that the infant prince of Orange ſhould be diveſted of all his dignities, and that the office of ſtadtholder ſhould not be revived at any future period[2]. The connexion of blood, and the participation of ſuffering, did not beget any warmth or partiality of affection in his uncles towards their nephew, nor did they conſider themſelves as under any obligation to raiſe him to a ſhare of their proſperity after the reſtoration[3]. Charles II., and his brother the duke of York, from the influence of their education in France, ſeem to have imbibed a peculiar averſion to the States of Holland. In the courſe of private converſation and correſpondence, when free from the reſtraints of policy, they were known to expreſs themſelves, concerning the character of the Dutch, in terms hardly conſiſtent with decency and good manners[4]. Of the two wars with Holland, in the reign of Charles II., one of them was

[2] Hiſtoire de Stadthouderat. [3] Life of Clarendon, vol. ii. p. 226.
[4] Dalrymple, Ap. p. 4, 5.

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commenced againſt the general approbation of the people of England, and both carried on with ardour and pique, on the part of the king, that indicated too much of the ſpirit of a private feud. At a period when the bounty of France to Charles was withdrawn, and when he was compelled to uſe every artifice to regain the declining affections of his ſubjects, he was perſuaded, by lord Danby, to approve of the addreſſes of his nephew to the lady Mary, and to recommend him to be her huſband. The private manners of William, grave, ſtern, and reſerved, were but little calculated to win the affections of a prince, gay, jocoſe, voluptuous; while, at the ſame time, his political principles formed a direct contraſt to thoſe of Charles, and of his father-in law the duke of York. Far from contributing to the aggrandizement of one ſo nearly related to the royal blood, Charles, as we have already ſeen, without remonſtrance or interpoſition, beheld him ready to ſink under the violent and unprovoked oppreſſion of his imperious neighbour, the king of France. He not only thwarted the inclinations of his people, by declining to enter into an alliance with his nephew, who, at the time of his greateſt extremity, made him a viſit for that purpoſe; but he did not even vouchſafe the ſalutary aid, ſtipulated by exiſting treatries, which he was bound in honour to fulfil. In the predominant prejudices of the Engliſh nation, the prince of Orange found ſentiments more conſolatory and more favourable to his intereſts. His inveterate enmity to France, his ſedulous application to buſineſs, his known zeal for the proteſtant religion, rendered him the favourite of the popular party in England. It afforded no ſmall relief to thoſe, who were filled with diſtreſsful apprehenſions concerning the fate of religion and of government, to reflect, that the illuſtrious perſon, ſo nearly

nearly allied to the crown, was, by a ſympathetic attachment, inclined, and by his wiſdom and courage excellently qualified, to reſcue them in the day of danger. On the other hand, a reſpect to the proteſtant religion, and the independence of his native country, as well as a fair attachment to his own patrimonial intereſt, recommended to the prince a diligent improvement of every opportunity, for cultivating the good opinion and affections of ſo powerful, and ſo reſpectable a body of the Engliſh nation. The cold treatment he received from his father-in law, whoſe ſuperſtitious zeal rendered him inſenſible to the claims of kindred, ſuggeſted to the prince the hazard he might run, if he truſted his views upon the ſucceſſion, to propinquity of blood, or to the precarious influence of equity and law. During the internal commotions of Holland and England, in preceding periods, particular factions in both countries had often entered into reciprocal engagements of friendſhip and ſupport. The penſioner De Wit, in the former war between Holland and England, made uſe of the ſervices of the popular party there, to check and to counterpoiſe the malevolence of the court, towards the States[5]. Inſtructed by the ſucceſs of his example, William could not deem it either impolitic or unlawful to correſpond with the ſame party, for promoting the united intereſts of both countries. Would it have been prudent, to have overlooked or deſpiſed the voluntary advances of many reſpectable members of the legiſlature, of whoſe exertions he might one day avail himſelf, in compaſſing the object of a juſtifiable ambition, and in ſecuring what he conſidered to be his lawful inheritance? Independent of all future views, or expectation of ſucceſſion to the

[5] Secret Hiſtory of Europe, vol. ii.

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throne of England, the emergency of his affairs at that period, and the preſervation of the dignity and rights derived from his anceſtors in Holland, demanded not only the alliance, but the moſt vigorous interpoſition of the Engliſh nation. Diſappointed of the ſupport he expected from his royal relations, he neceſſarily had recourſe to the plan of forming and of ſtrengthening his connexions with that party, which ſtood in oppoſition to the meaſures of the court. The firſt public evidence of this connexion, and of his reſpect to the ſentiments of the popular party in England, appeared, by the interference of the Spaniſh and Dutch ambaſſadors, in urging Charles to conſent to the bill of excluſion; and by a memorial to the ſame purpoſe, in name of the States, drawn up by Fagel, the prince's confident and adviſer[6]. It is not eaſy, without attending to the circumſtances now recited, impartially to enter into the motives of the prince of Orange's conduct, without whoſe concurrence this memorial could never have been preſented to the court of England. We cannot tell, how far he might find it indiſpenſable to gratify the wiſhes of his friends both in England and Holland, in order to preſerve the credit he had acquired with them; or how far he might be ſeriouſly affected with the proſpect of danger to the proteſtant religion and the liberties of Europe, ariſing from the influence of a popiſh ſucceſſor to the crown of England; and to what degree, according to theſe ſentiments, public ſpirit and virtue might, with propriety, control delicacy and the dictates of natural affection. His firſt interference in the politics of England, from whatever principle it flowed, invited an unfavourable conſtruction, as it ſeemed to deviate from the tenderneſs of filial affection,

[6] D'Avaux, 1681. Life of James, 1681.

and

and to indicate a premature ſnatching at power, to the injury of the perſon through whom he derived his claim to it. CHAP. VIII.

After the acceſſion of James to the throne of England, fair profeſſions of eſteem were interchanged between the father and the ſon-in-law; but an almoſt uninterrupted ſeries of altercation and mutual complaints demonſtrated to attentive ſpectators, how far they were removed from cordial harmony, in affection or political ſchemes. As the inclinations of James were notoriouſly unfavourable to the views of his ſon-in-law, his zeal for the catholic religion, if ſucceſsful, would certainly weaken the influence of that party, upon which the hopes of the latter depended, and entirely deprive him of the means of obtaining juſtice, in his claim to the ſucceſſion. The proteſtants were daily declining in numbers and power, while the Roman catholics, and thoſe who were ill-diſpoſed towards Holland and the Prince of Orange, were increaſing in dignity and influence. But not only the proſpect of future elevation, but the preſervation of the authority he already poſſeſſed, rendered him deeply intereſted in the ſucceſs of that party in England, which thwarted the favourite meaſures of the court. The prerogatives of the Stadtholder, which he had with difficulty recovered, were preſerved by a continued exertion of political addreſs. The city of Amſterdam, inſtigated by the intrigues of Lewis, embraced every opportunity to circumſcribe the power, and to affront the perſon of the prince. The reduction of the navy and army of the States, was the object of perpetual ſtruggle [7]. The army of France had repeatedly over-run the principality of Orange,

[7] D'Avaux, vol. iv.

the

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the private property, of the prince; and, from the obvious plan of the policy of that court, it might be expected, that they would ſeize the firſt opportunity of rending and dividing the provinces of the States. The alliance of England was the object, to which the prince wiſhfully turned his eyes, as the only means of averting thoſe impending encroachments, and of maintaining, undiminiſhed, his own authority, and the dominion of the States. In ſuch circumſtances, a neutrality, with reſpect to the politics of England, was incompatible with his ſagacity and patriotiſm. The growing diſcontents of England he now inſpected with a vigilant and an anxious eye. Engliſhmen of rank, who, either from diſguſt or accident, reſorted to Holland, were invited to his court, and entertained with the moſt condeſcending attention. Some of them, who were eſteemed worthy of truſt, were admitted into private conference with the prince. From their information, he was enabled to penetrate into the preſent ſtate and temper of the Engliſh nation: and, through the channel of their correſpondence, to communicate to their friends his diſapprobation of the meaſures of the court, in order to confirm the attachment, and animate the reſolutions of the popular party. He was at the ſame time cautious and reſerved, leſt he ſhould alarm the jealouſy of the court, by an open or a premature gratification of the wiſhes of his friends. When ſolicited to interpoſe, by a remonſtrance againſt the erection of the eccleſiaſtical commiſſion, he reflected that matters had not yet come to ſuch an extremity, between the king and his people, as to juſtify to the world a public interference in the affairs of England; and that his preparations were not yet in a ſufficient ſtate of forwardneſs, to enable him to redreſs the grievances of his friends,

friends, or to ſecure any permanent eſtabliſhment to himſelf [8]. No prudent expedient was, in the mean while, neglected, to haſten the criſis, when a ſeparation between the intereſts of his friends, and thoſe of James, might be declared with ſafety and effect. While the freedom of the preſs was reſtricted in England, by the jealouſy of the court, publications iſſued from Holland, to diffuſe among the people a ſenſe of the arbitrary nature and the dangerous tendency of public meaſures. The imprudence of James at laſt afforded his ſon-in-law an opportunity of publicly interpoſing in the affairs of the nation, and of making an open avowal of his ſentiments, upon an occaſion the moſt favourable to the advancement of his intereſt. One Stewart was ſent over to Holland, to ſolicit the prince to declare his conſent to the repeal of the teſts and the penal ſtatutes. In order to allure him into a compliance with a meaſure fundamentally eſſential to James's ſcheme for eſtabliſhing the Roman catholic religion, the marquis of Albeville, the Engliſh envoy at the Hague, was inſtructed to make the faireſt declarations of friendſhip to him, in the name of his maſter; and, as a more irreſiſtible bait, to hold out the proſpect of a treaty of alliance againſt France [9]. But, although the name, and, ſtill more, any real evidence, of the friendſhip of England, would have been highly beneficial to the prince, in enabling him to overawe the violent oppoſition,

[8] Burnet.

[9] This accounts for the fair profeſſions of friendſhip which James made to William, and which ſo far alarmed D'Avaux, the French ambaſſador, that he expreſſes the greateſt anxiety, leſt a cordial union between James and the prince of Orange ſhould actually take place. D'Avaux, vol. iii.

James

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oppoſition, which began to thwart all his ſchemes of domeſtic policy, and to ſhake the foundations of his authority, as ſtadtholder; yet he did not chooſe to ſacrifice to theſe, his attachment to the proteſtant religion, and his credit with his friends in England. In anſwer to the earneſt intreaties and arguments, uſed by the ambaſſadors of James, to obtain his conſent to the repeal of the teſts and penal ſtatutes, the prince made a declaration of thoſe ſentiments, to which he ever afterwards adhered with conſiſtency and firmneſs. He profeſſed his approbation of univerſal toleration, and of the abolition of the penal ſtatutes; but refuſed to conſent to the removal of the teſts, which he held to be the only barrier againſt the entire overthrow of the proteſtant religion in England. The moſt ſucceſsful operations were at the ſame time carried on, in behalf of the intereſt of his maſter, by Dyckevelt, who was ſent ambaſſador to London, for managing the ordinary buſineſs between the king and the States, but ſecretly inveſted with a truſt of a more delicate nature. He was directed to ſound the ſentiments of the leading perſons in England; to embrace every ſafe opportunity of communicating, in the name of his maſter, thoſe private inſtructions which were calculated to gain upon their affections, and to procure a coalition of all parties. To the friends of the church he gave the ſtrongeſt aſſurance of the prince's reſpect for

James earneſtly wiſhed to obtain the conſent of his ſon-in-law to his ſcheme of toleration: perhaps too he wiſhed to make the Engliſh believe that he had ſeparated himſelf from France, becauſe it was popular. The prince of Orange was at the ſame time ſincerely deſirous of being believed to be on good terms with the king of England, in order to overawe the city of Amſterdam, bent upon reducing the army, and abridging his power. D'Avaux, vol. iii. paſſim.

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the eſtabliſhed religion. To the diſſenters he laid open the ſnares into which they had been decoyed by the favours and the flattering promiſes of the court. They were entreated to wait with patience for a ſcheme of comprehenſion; and if that could not be obtained, they were aſſured of a toleration, upon the moſt liberal plan. Some of the moſt learned and eloquent preachers among the proteſtant diſſenters, who had withdrawn to Holland, from the dread of the king's reſentment, now returned to England, at the deſire of the prince, to co-operate with Dyckevelt, in preventing their being divided, by the intrigues of the court, from the reſt of their proteſtant brethren [10]. After the departure of Dyckevelt, count Zuleſtein was ſent over, oſtenſibly for the purpoſe of carrying compliments of condolence to the queen, upon the death of her mother the ducheſs of Modena; but, in fact, to proſecute the buſineſs already begun by Dyckevelt. The ſucceſs of theſe negociations was fully anſwerable to the expectations of William. The marquis of Halifax, the earls of Shrewſbury, Devonſhire, Danby, Nottingham, lords Mordaunt and Lumley, admirals Herbert and Ruſſel, held daily conſultations in private with the Dutch ambaſſadors, and through them imparted their views and advice to the prince of Orange. Lord Mordaunt was commiſſioned by this party to wait upon the prince in Holland, and to enter into a full diſcuſſion of his views with reſpect to the affairs of England [11].

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While

[10] Burnet.

[11] "In conſequence of the negociation of Dyckevelt and Zuleſtein, a correſpondence was opened between the prince of Orange and ſome of the principal nobility in England. The letters

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While theſe negociations were ſecretly carried on by the Dutch ambaſſadors, copies of the prince's letter, in anſwer to the king's repeated ſolicitations for his conſent to the repeal of the teſts, were circulated through all the counties of England. A declaration, which left the ſentiments of the next heir to the crown no longer doubtful, and which expreſſed the ſtrongeſt aſſurances of protection to the eſtabliſhed church, and of toleration to every ſect, had a remarkable effect in multiplying the number, and ſtrengthening the confidence, of the prince's friends. As there now appeared the moſt preſſing neceſſity for having recourſe to foreign aid, in order to reſcue the nation from domeſtic oppreſſion, the authenticated views of the prince, ſo moderate and ſo ſalutary, were liſtened to with general approbation, and the hearts of all parties prepared to entertain him with a cordial reception, as ſoon as the critical moment ſhould arrive of his ſtanding forth the avowed deliverer of the nation. To be fully prepared for this event, under the pretext of guarding againſt the encroaching power of France, he applied to the States for ſupplies neceſſary to recruit the army, and to augment the fleet; and the aſſiſtance he received was applied with expedition, judgment, and as much ſecre-

letters of this correſpondence form a part of Sir John Dalrymple's collections, Ap. part 1ſt, p 186, &c

Moſt of theſe letters refer to declarations made to Dyckevelt and Zuleſtein when in England, or to what they were commiſſioned to ſay to the prince in Holland; all of them contain high profeſſions of reſpect to him. Some of the writers reſerve their loyalty to James; and even inſinuate, that the beſt method of ſhewing it, was by promoting the prince's deſign. None of the letters are ſpecific as to any plan of national deliverance. The letters of Halifax and Nottingham are very cautiouſly worded, and rather ſuggeſt deliberation and delay.

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cy as the nature of the buſineſs would admit. Neither did he reply for the ſucceſs of this important event upon the internal ſtate and diſpoſitions of the people of England, or the military force he was able to carry along with him from Holland. He availed himſelf of every circumſtance, he improved every opportunity and argument calculated to make any impreſſion upon the ſurrounding powers of Europe, and to render them propitious to his enterpriſe. By diſplaying, with ſagacious penetration, the moſt alarming views of the ambition of Louis, he intereſted not only the proteſtant, but the popiſh princes of Europe in his cauſe; and, with wonderful addreſs, perſuaded them to forget religious predilections and ancient feuds, while they united their counſels and exertions to accompliſh the depreſſion of France, the deliverance of England, and his own elevation [12]. CHAP. VIII.

4. As the intereſts of the prince of Orange coincided with thoſe of the proteſtants in England, ſo various circumſtances in the ſtate of Europe, encouraged and ſeconded the views of both, and co-operated towards the accompliſhment of the revolution. Political ſtate of Europe.

James the Second of England was almoſt the only prince in Europe who was not, either from private pique, or from a jealouſy of his exorbitant ambition, actuated by reſentment againſt Louis the Fourteenth, who, at that period, ſat upon the throne of France. The revocation of the edict of Nantz, followed by the moſt violent perſecution of the Huguenots, rendered his name deteſtable to all the proteſtant princes in Germany [13]. A private conteſt with Innocent

[12] Monthly Mercury.
[13] Teſtament Politique du Colbert.

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the Eleventh, who now wore the triple crown, effaced the merit of his ſanguinary zeal, and even drew down upon him the implacable reſentment of the holy father. According to ancient cuſtom, the ambaſſadors of catholic princes, reſiding at Rome, enjoyed an exemption from the juriſdiction of that court, and various immunities connected with that privilege, which were called the *franchiſes*. By imperceptible degrees, theſe were extended, not only to the ſervants and houſehold of the ambaſſador, but to every other perſon received under his protection, and were at laſt found to encroach far upon the dignity and domeſtic authority of the papal court. Bent upon his own perſonal grandeur, more than upon the extenſion of his power over diſtant kingdoms, Innocent the Eleventh moſt anxiouſly ſolicited the catholic princes to reſign a privilege which tended to the diſparagement of his honour, and the limitation of his immediate juriſdiction. The houſe of Auſtria ſet that example of obſequiouſneſs, which was followed by other catholic princes in Europe. The king of France alone, with inflexible obſtinacy, contended for the maintenance of all thoſe honours which, by long preſcription, were claimed by his ambaſſadors. The ſolicitations of the Engliſh ambaſſador were interpoſed in behalf of France, and, inſtead of ſoftening Innocent, involved James in a participation of the guilt and the odium of his ally [14].

The houſe of Auſtria had ſtill a more ſerious ground of quarrel with France, and poſſeſſed greater power to proſecute her reſentment. While her whole exertions were directed againſt

[14] Hiſtoire de Gouvernment de France, tom. iii. 1687.

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her natural enemies, the Turks, and the revolted subjects of Hungary, who had joined them, the king of France seized the opportunity of violating the truce agreed upon between him and the emperor, and began, without any shadow of claim, to erect forts on the borders of Germany. The emperor having gained some important advantages over the Turks, and recovered some of the strongest fortresses which had been long in their possession, now began to turn his eyes upon the encroachments of France, and was prepared eagerly to listen to any scheme of curbing that exorbitant ambition, by which she was of late become formidable to Europe [15]. CHAP. VIII.

The repeated insults with which the haughty monarch had treated Holland and Spain, and the late violation of the treaty of Nimeguen, filled them with resentment and fearful forebodings of his future encroachments [16].

The dispositions and the interests of these various powers suggested to William a plan of confederacy against France, to the accomplishment of which he devoted the unremitted exertion of all his faculties. By his unparalleled address in negociation, the Empire, Spain, Saxony, Holland, and the circles of the Upper Rhine, were all induced to enter into the famous league of Augsburgh [17]. The articles of that league would lead to the discussion of foreign politics, a subject too extensive and complicated to enter into this work. Let it suffice to observe, that the terror of France was the principle of this league, and her humiliation the object it was in-

[15] Tindal's Introduction.
[16] Ibid.
[17] Ibid.

tended

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tended to accompliſh. The aſſiſtance and concurrence of England were perceived by all the confederating powers, to be eſſential to its ſtability and ſucceſs. But what hope could they reaſonably have of obtaining this, while a prince ſat upon the throne of England, who was partial to the intereſts of France; and, by a tyrannical uſurpation, overruled the inclination of his people and his parliament? Here then was preſented to William, the moſt favourable opportunity of making an attempt upon England, not only without any hazard of oppoſition from abroad, but with the hearty conſent and good wiſhes of thoſe very powers, who, upon any other occaſion, would have been led by their religious prejudices to thwart his elevation. Should he ſucceed, either by aſſuming the government of England into his own hands, or by putting it into the hands of the parliament, the object of the league would be obtained. At the ſame time, great pains were taken to allure the pope, if not to become immediately acceſſary to the league, yet to look with a favourable eye upon the confederating powers. It is not difficult to perſuade men to apprehend the coincidence of the public good with their own private intereſts and affections. It was ſuggeſted to Innocent, that, by a revolution in England, he might expect, not only to obtain the gratification of private reſentment, but the advancement of the catholic intereſt in that kingdom. A toleration, which was agreeable to the avowed principles of William, would ſecure their perſonal ſafety, and the undiſturbed exerciſe of their religion, to all the diſintereſted and ſincere friends of the Roman church; whereas the violence and the precipitancy of James might one day rouſe the fury of the nation, and terminate in the final extirpation of thoſe whom he

he wiſhed to cheriſh. By theſe repreſentations, and the addreſs of the prince of Orange at this time, was produced one of the moſt ſingular phænomena that ever occurred in the hiſtory of politics. An oppoſition was formed between the church and the court of Rome. The pope was made an inſtrument of avenging ſuperſtitious zeal, and of ſaving the proteſtant religion in England, by contributing his aid to dethrone a prince, who, if it had not been for his bigotted attachment to the intereſt of the Roman church, might have enjoyed a peaceable and happy reign [18]. CHAP. VIII.

5. The combination of foreign princes of oppoſite prejudices and intereſts, however ſingular an event, would not have been ſufficient to have raiſed William to the throne of England, if he had not, at the ſame time, been fortunate in uniting the States of Holland, by a cordial ſubmiſſion to his authority, and by the adoption of his political ſchemes. From the commencement of the government of the United States after their ſeparation from Spain, a powerful faction, Union among the States of Holland.

[18] From the late publications of Sir John Dalrymple, it is now evident, that the pope was privy to the deſigns of William and the league. The French ambaſſador extraordinary, cardinal D'Eſtrées, in a letter to Lewis XIV. (18th Sept. 1687,) informs him, that he had been for ſome time ſuſpicious of a perſon who reſorted every day in diſguiſe to count Caſſoni, the pope's ſecretary. That this perſon was at laſt apprehended in the dreſs of a porter as he came out from the vatican at midnight, and was diſcovered to be a Dutch burgo-maſter of the name of Ouir; that, among other letters in his poſſeſſion, there was found one from the pope's ſecretary to the duke of Lorrain, expreſſing the particular joy his holineſs received upon being informed, that his imperial majeſty had perſuaded almoſt all the European princes to unite in a league againſt the king of France. Dalrymple, Ap. part i. p 240—6.

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ſpread through all the provinces, had ſet themſelves in oppoſition to the authority of the ſtadtholder, as incompatible with the ſpirit of their conſtitution. By the influence of this faction, Oliver Cromwell had obtained an article in the peace with Holland, aboliſhing for ever that office. By early management and addreſs, the firſt fruits of a genius for enterpriſe and negociation, which afterwards aſtoniſhed Europe and ſaved the independence of ſo many kingdoms, the prince of Orange raiſed and animated the popular party in Holland; and by their means reſumed the honours and the prerogatives of his houſe. Theſe, however, after he had recovered them, were retained with difficulty, and expoſed to danger, by the unremitting oppoſition of the city of Amſterdam, aſſiſted by diſcontented perſons of diſtinguiſhed influence in the provinces. Inſtigated by the invidious intrigues of France, they had lately formed a ſcheme of withholding the ſupplies, and reducing the army; which exceedingly embarraſſed the counſels and cramped the power of William. The ill-judged policy of France firſt weakened her influence among the diſaffected party in the States, by impoſing certain duties and reſtrictions upon ſome of the moſt profitable articles of their commerce, in ſpite of the moſt earneſt remonſtrances of the city of Amſterdam, and the ſecret advice of D'Avaux, the French ambaſſador. The revocation of the edict of Nantz widened the breach between Lewis and the Louveſtein faction, and promoted a reconciliation and an union of all parties in the provinces [19]. The Huguenots, who fled to them for re-

[19] D'Avaux.

fuge,

fuge, by deſcribing in pathetic ſtrains their own ſufferings, and the ſufferings of thoſe they had left behind them, at once awakened the compaſſion, and rouſed the indignation, of all the proteſtants in Holland. The jealouſy of their domeſtic privileges was extinguiſhed by a generous ſympathy, with the oppreſſion of their fellow-chriſtians. The prince of Orange, whom the diſaffected in Holland had hitherto beheld with an eye of ſuſpicion, they now regarded as the only inſtrument, under providence, to avenge the cauſe of humanity and conſcience; and cordially concurred with their fellow-ſubjects, in granting the ſupplies, and raiſing the troops neceſſary for that purpoſe. The proteſtant refugees were of uſe to William, not only by reconciling the affections of all the States to him, and to one another, but by great perſonal ſervices. The fortunes which they imported, facilitated the loans for the raiſing of troops, and the other preparations neceſſary for his expedition. Many French proteſtants, of all ranks, entered into the army and fleet deſtined for England. Among theſe were ſome of the braveſt ſoldiers and moſt experienced generals, who, to all their other qualifications, added a fervent zeal for religion and liberty; and were well-pleaſed to hazard their lives in defence of a cauſe, for which they had already ſuffered exile.

The death of the elector of Cologne, and the forward part Lewis had taken in the choice of a ſucceſſor ſubſervient to his ambition, threatened the ſurrounding powers on the continent with the near approach of a war; and covered the real deſign with which William was now carrying on the moſt extenſive military preparations. He formed a camp, augmented his army, and drew his troops out of the garriſon in Flanders. Under

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various pretences, and with the moſt aſtoniſhing expedition, he fitted out all the ſhips of war belonging to the States, and brought them to the moſt convenient harbours. He quickly found himſelf at the head of a warlike force, ſufficient to engage the confidence of his friends, ſo ſoon as he ſhould find it prudent to make an open declaration of his purpoſe, either to curb or to annihilate the arbitrary power of his father-in-law [20].

6. Ill fortune and imprudent meaſures on the part of James, concurred with all the cauſes which have been recited, to haſten and to facilitate the ſubverſion of his government, and the utter ruin of his affairs.

The birth of a ſon, inſtead of ſtrengthening his prerogative, in various reſpects contributed

[20] Hiſt. de Louis le Grand, par Buſſy Rabutin.

Lewis XIV., in order to ſecure to his intereſt the electorate of Cologne, had prevailed upon the late elector, declining in his health, to deſire a co-adjutor, and by his intrigues obtained the election of cardinal Furſtemberg, upon whom he had beſtowed the biſhoprick of Straſburgh. The pope refuſed his bull, and the emperor his inveſtiture, which were neceſſary to ratify the election.

Upon the death of the elector, a new election was found to be neceſſary. To ſupport the claim of Furſtemberg, the troops of France were ordered to march to the frontiers, and her agents were ſent to Cologne, to diſtribute money among the prieſts and the canons, who had a vote in the election.

The emperor propoſed as a candidate, prince Clement, brother of the elector of Bavaria. He was ſupported by his brother the elector, by Holland, and the pope, who gave Clement a diſpenſation, on account of his being under age. Though the cardinal was elected by a majority, the emperor and the pope ſtill refuſed their conſent. Upon this, France ſent troops into Cologne, which took the oaths of allegiance to the cardinal, and filled the garriſons according to his orders. France began at the ſame time to make warlike preparations at home; to diſcontinue the works in which the troops were employed in the country; and to give commiſſions for new levies. Memoires de la Cour de France, par la Comteſſe de la Fayette, vol. ii. p. 4 and 19. 22.

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to increaſe the inclination and the power of his ſubjects to reſiſt it. It emboldened the Roman catholics to purſue more open and violent meaſures; it rouſed the fears, and provoked the immediate and vigorous reſiſtance of his proteſtant ſubjects. The proſpect of a proteſtant heir, ſo long as it was held out to them, reminded the Roman catholics of an approaching day of reckoning, and rendered them more cautious and moderate, leſt they ſhould lay a foundation of future reſentments againſt themſelves. The proteſtants drew great conſolation from the hope of an event which ſeemed to ſet bounds to the reign of ſuperſtition and tyranny; and ſome of them, extravagantly loyal, would have been willing to endure many hardſhips, provided they were not to deſcend to their poſterity. The birth of a ſon, who would infallibly be trained in the enthuſiaſtic and tyrannical principles of his father, rendered the ſituation of Engliſhmen irretrievably deſperate, if they did not make a bold effort for their deliverance while they yet had it in their power. The number and ſtrength of the friends of arbitrary power muſt increaſe every day. Delay was ruin.

Though to a perſon who, at this diſtance of time, fairly balances evidence, there may appear little reaſon to doubt of the legitimacy of the birth of the prince of Wales; yet ſome myſterious circumſtances attending that event, eaſily impoſed upon the credulity of party; and, to all the other crimes of James againſt his ſubjects, added the ground of a charge the moſt heavy that could lie againſt his character, either as a man, or as a prince.

If the king was unfortunate in that combination of circumſtances which united ſo many of the powers of Europe in oppoſition to his inte-

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reſts, he was no leſs ſo in the weakneſs and violence, or the duplicity and perfidy, of the counſellors in whom he principally confided, and who diſſuaded him from availing himſelf of the only aſſiſtance which remained to him in the extremity of his affairs. Lewis the Fourteenth had inſtructed his ambaſſador at the Hague to demand a poſitive anſwer of the States, with reſpect to the deſtination of the army and fleet which were getting ready with ſuch expedition; and, as a reaſon for this inquiry, added the ſtrongeſt expreſſions of friendſhip towards James, in whoſe ſafety he profeſſed himſelf deeply intereſted. The States either pretended, or actually believed, from this interpoſition, that a ſecret treaty had been tranſacted between James and Lewis. By the advice of Sunderland, James was perſuaded not only to decline, but reſent, the good offices of the king of France [21]. He refuſed to accept the

[21] The treachery of Sunderland (more perhaps than any other cauſe) contributed to the ruin of James. By adopting his prejudices, by affecting a conviction of the propriety of his meaſures, and a zeal for carrying them into execution, he impoſed not only upon James, but on the French ambaſſador, Barillon. See a remarkable inſtance of this, Dalrymple, Ap. part i. p. 175.

When Sunderland perceived the unpopularity of the king's conduct, and the fatal iſſue in which it was likely to terminate, he turned his eyes towards Holland, and by means of Sydney, his wife's uncle, endeavoured to open a correſpondence with the prince of Orange. His wife, in the name of her huſband, makes a declaration of his attachment, and a tender of his ſervices, to the prince of Orange, in terms the moſt abject. Dalrymple, part i. p. 187. D'Avaux, vol. iv. 13th and 20th May, 1688.

As if it had been to avert the ſuſpicion of his maſter, which, from the conſciouſneſs of guilt, he had reaſon to dread, he profeſſed to be converted to the Roman catholic religion. Dalrymple, part i. p. 287-8.

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the aſſiſtance of a fleet and an army proffered to him by Lewis. He inſtructed his ambaſſador at the court of France, to complain of that imprudent officiouſneſs which had ſtaggered the confidence of his own ſubjects. CHAP. VIII.

A ſtorm,

He continued to encourage James in the moſt violent meaſures, while he conferred with Dykevelt. Dalrymple, Ap part i. p. 191.

Meanwhile, he ſtill ſo effectually impoſed on Barillon, as well as James, that, upon the recommendation of the former, Lewis ordered him a penſion for his ſervices to France. Ibid. p. 267.

But the moſt notorious inſtance of his duplicity occurs in his conduct at the time when James propoſed to recal the troops from Holland. He had aſſured Barillon of his approving of that meaſure, and of promoting it by his influence with the king. Some time after, the order for recalling theſe troops was ſuſpended. Skelton, the ambaſſador at the court of France, ſuſpected, that the ſuſpenſion of the recal was owing to the advice of Sunderland, who began to fall under the ſuſpicion of holding a correſpondence with the prince of Orange. Barillon is charged to inquire into this affair; and, particularly, whether Sunderland had adviſed the ſuſpenſion of the recal. But with ſuch artifice did Sunderland acquit himſelf, that, in a converſation with the ambaſſador upon the ſubject, he perſuaded him, that the obſtructions to this meaſure proceeded from its being diſagreeable, not only to the proteſtants, but to the catholics: That he himſelf, by his firmneſs in adhering to it, expoſed his own intereſt and ſafety to the greateſt hazard: That all this proceeded from a vehement attachment to the French intereſt; and therefore ſuggeſts the juſtice of his claim to an additional penſion from the king of France. Dalrymple, Ap. part i. p. 267. 273. 277-9, 280.

Sunderland diſſuaded James from accepting the aſſiſtance offered him by France, after it became certain that the prince of Orange meditated an expedition into England. Ibid. 282-3-6. D'Avaux vol iv. Sept. 18th, 1688. Life of James, paſſim.

Sunderland had obtained orders to all the ambaſſadors in foreign ſtates, to communicate any news of importance to none but him; a circumſtance which at once ſhews his influence with James, and his capacity of hurting him. Dalrymple, Ap. part i. p. 281.

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A ſtorm, which diſperſed and turned back the Dutch fleet, after their firſt ſetting ſail for the coaſt of England, conſtrued as a ſignal interpoſition of heaven, immediately occaſioned a change in the moderate and conciliating meaſures which had lately been adopted by the king, and utterly deſtroyed all confidence in the promiſes which he afterwards made when driven to extremity. The imprudence of James was no leſs conſpicuous than his bad fortune. His conceſſions were made with a reſerve which fomented the diſtruſt of his friends. He promiſed to call a parliament, but alleged as a reaſon for delaying it, the confuſion and the diſturbances which prevailed while the prince of Orange and his army were in England; though it was evident, that, if he extricated the nation from them by military exertions, he muſt find himſelf in a ſituation more than ever ſuperior to the power of parliament. The ſuſpenſion of the biſhops was taken off; the eccleſiaſtical commiſſion diſſolved; the charters of corporations reſtored in their ancient form. But the king ſtill expreſſed himſelf in terms of ſuch reſerve and heſitation with reſpect to the indulgence of the Roman catholics, itſelf the moſt offenſive meaſure, as well as the ſource of all the other offenſive meaſures which he purſued, that there ſeemed no ground to rely upon his promiſes, or to hope for a laſting reformation of government.

The unchangeable tenor of the king's conduct exhibited a palpable contradiction to the promiſes he made, and to the reſolutions he profeſſed.

The letters of Sunderland to king William after the revolution fully confirm his treachery: In them he pleads the merit of his paſt ſervices. Dalrymple, Ap. part ii. p. 1, 2 From theſe letters it appears, that William, diſguſted with Sunderland's crooked ways, heſitated about conſenting to his return to England.

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One Hale, a clergyman, conſiderable only by the odium he had incurred for reading the declaration of indulgence, was now promoted to the dignity and the lucrative emoluments of the ſee of Oxford. The prince of Wales was baptiſed according to the form of the Roman catholic church, and the pope, repreſented by his nuncio, ſtood as godfather.

Diſguſted at the inſincerity and infatuation of the king, and entirely excluded from his confidence, many of thoſe who had hitherto faithfully adhered to his perſon, found themſelves compelled to encourage the interference of the prince of Orange, as far as it was neceſſary, to repair the breaches of the conſtitution, though nothing was farther from their intention than to raiſe him to the throne. The fluctuation, timidity, and weakneſs of the king, when his affairs became more deſperate, ſuppreſſed, in a great meaſure, that pity which follows dignity aſſociated with misfortune. The precipitate deſertion of his dominions ſtruck his friends with aſtoniſhment and confuſion, fulfilled the wiſhes of his enemies, and accompliſhed, without the effuſion of blood, the moſt important revolution that occurs in the annals of England.

The declaration of the prince of Orange. October 10, 1688.

The prince of Orange landed at Torbay on the fifth of November one thouſand ſix hundred and eighty-eight. Before he left Holland he publiſhed a declaration, repreſenting the grievances of the Engliſh nation under the government of James. That all ordinary remedies having been ineffectual to obtain redreſs, he had thought fit to go over to England, with ſuch a force as was ſufficient to defend him from the violence of evil counſellors, and that the deſign of his expedition was to obtain a free and lawful parliament. He diſclaimed all intention of conqueſt; and ſaid, that

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that he had no other deſign, than to procure a ſettlement of the religion and liberties of the ſubject, upon ſo ſure a foundation, that there might be no danger of the nation relapſing into the like miſeries hereafter [22].

Two queſtions naturally occur with reſpect to this declaration, and the ſolution of them materially affects the character of the prince of Orange. 1. How far is it conſiſtent with truth, or does it contain a fair repreſentation of facts? 2. Was the conduct of the prince of Orange, in accepting the crown, conſiſtent with the promiſes and engagements of his declaration?

It does not appear that any of the facts with reſpect to the grievances which are enumerated in the prince's declaration, are miſrepreſented, or exaggerated. In one inſtance only, the declaration of the prince may ſeem liable to the charge of falſehood and calumny; namely, in what reſpects the ſuppoſititious birth of the prince of Wales. Whether William really believed this, whether, from a miſrepreſentation of circumſtances communicated to him by his correſpondents in England, and the influence of ambition which inſenſibly warps the mind, he did not ſuſpect that an impoſture was intended by his father-in-law, we cannot pretend to determine. The guilt alleged was of ſo baſe and atrocious a nature, that he ought not to have ſet his hand to it, without an accurate examination of the evidence, and a full conviction of its being well founded.

It is certain, that the bigotry of James excited ſtrong ſuſpicions in his proteſtant ſubjects, and in the princeſs Anne, that he intended to

[22] Journ. Commons, vol. x.

impoſe

impoſe a ſuppoſititious child, to prevent the ſucceſſion of his proteſtant heirs [23]. To any perſon who now examines the evidence of this ſuſpicion, it will not appear to have been at any time ſufficient to have induced the conviction of an unprejudiced mind. It affords a ſtrong preſumption, that William viewed it in the ſame light, as he never admitted or encouraged any inquiry with reſpect to the birth of the prince of Wales, which, if it had been rendered even doubtful, muſt have fortified his title to the throne. The ſtrong attachment of the nation to hereditary right, and the indiſpenſable neceſſity of his aſſuming the crown, will be conſidered as apologies for the conduct of William in this inſtance, by thoſe who admit, that the obligations to candour and probity may be diſpenſed with in any caſe whatever. It muſt be matter of regret to every fair mind, to find ſo few examples in hiſtory, of prejudices, however weak or pernicious, having been removed by pure force of argument; and that hardly one inſtance occurs, of any ſignal revolution in government having been accompliſhed, without working upon the reſentments of the people, by heightening the abuſes and crimes of thoſe who fill the ſeats of authority, and who have an intereſt in oppoſing innovations, however ſalutary.

There is no difficulty in vindicating the conſiſtency and honour of William, from any impeachment of them, for his aſcending the throne, as if it had been contrary to the words of his declaration, and the promiſes he made to ſome

[23] It was ſuſpected, from the pains which James took to pack the parliament in Scotland, that he had formed a plan to obtain authority for ſettling the ſucceſſion of the crown upon any perſon he ſhould think fit to name, on purpoſe to ſecure the Roman catholic religion. Life of Carſtares, p. 28.

of

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of the confederate princes [24]. He certainly undertook his expedition into England with the hope that it might terminate in his elevation to the throne. He diſclaimed any deſign of conqueſt: In this there can be no doubt of his ſincerity; but he certainly did not mean, nor wiſh it to be underſtood, that he would refuſe the crown of England if tendered to him, after deliberation, by the repreſentatives of the people. He even made uſe of expreſſions which might be obviouſly interpreted to bear that ſenſe, or to imply his readineſs to accept of it. He ſaid, he had no other deſign in his undertaking, but to procure a ſettlement of the religion, liberties, and properties of the ſubject, upon ſo ſure a foundation, that there could be no danger of the nation relapſing into the like miſeries hereafter. His elevation to the throne, however, was ſtill a matter of contingency: It was to depend upon the conjuncture of circumſtances. To the commiſſioners ſent by James, to treat with him about the ſettlement of the nation, he made propoſals, which, though they may appear arrogant, were, in the critical ſituation of affairs at that time, indiſpenſably neceſſary to procure that end [27]. If James had

[24] The prince of Orange, in a letter to the emperor, before his expedition into England, aſſures him, that he had no intention to make an attempt upon the crown, or to deſire to appropriate it to himſelf. Dalrymple, Ap. p. 254.

The ſame arguments which vindicate the conſiſtency of William's after-conduct with his declaration, remove any charge of duplicity inferred from this letter. We cannot doubt but that he wiſhed, and particularly his perſonal friends earneſtly wiſhed, that the courſe of affairs might bring the crown within his offer. See Letter of the elector of Brandenburgh to King William, 27th Feb. 1689. Ibid.; alſo Clarendon's Diary, Dec. 1688; Jan. 1689.

[27] The moſt exceptionable articles in the propoſals made by the prince, are the 4th and 6th, by which he ſeemed to put himſelf

had accepted them, there can be little doubt but that he would have kept his crown. Confounded, when he heard of the aſſociation of ſo many perſons of the firſt rank under the prince of Orange, and of the deſertion of his own family; diſtruſting his army, and ſtill inflexibly attached to the intereſt of the Roman catholic religion, he choſe rather to throw himſelf into the arms of France; and left his people in ſuch a ſituation, as hardly reſerved any other alternative, by which the purpoſe of the prince's declaration could be obtained, than putting the crown upon his head.

himſelf in every reſpect upon a footing with the king; namely, that if his majeſty ſhould think fit to be in London during the ſitting of the parliament, he (the prince) might be there alſo, with an equal number of his guards; and that a ſufficient part of the public revenue ſhould be aſſigned him, for the ſupport and maintenance of his troops, till the ſitting of a free parliament. It is evident, however, that nothing ſhort of a compliance with theſe demands could inſure the purpoſe of his expedition.

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Effects of the Departure of James.—The Peers in London addreſs the Prince to aſſume the Adminiſtration of Government.--- He waits for ſome Teſtimony of the Approbation of the Commons.—Summons the Members who had ſerved in Parliament during the Reign of Charles II.---*They meet.—Addreſs him to call a Convention.—He complies with their Deſire.—Conduct of the Prince previous to the Meeting of the Convention.—His acts of Government.--- Elections.—The Convention meets—Addreſſes the Prince.--- A Letter from King James rejected.—General View of the Commons concerning the State of the Nation.—Debates of the Commons concerning the ſettling of the Government.—Final Reſolution.—Debates in the Houſe of Lords concerning the ſettling of the Government.—Reſolutions and Vote.—The Queſtion concerning the original Contract.—Reſolutions and Vote.—The Commons avoid any farther Meaſures for ſettling the Government.—The Lords propoſe Amendments upon the Reſolutions of the Commons.—Obſervations.---Conference between the two Houſes.--- Cauſes which conſtrained the Lords to concur with the Commons.---Diſcontents and Tumults of the People.--- Declaration of the Prince of Orange---of the Princeſs of Orange---of the Princeſs Anne. --Effects of them.---The Lords concur with the Votes of the Commons---and ſettle the Crown on William and Mary.--- Bill of Rights.--- Alteration of the Oaths.---Effects of the Revolution with reſpect to the Conſtitution.*

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1688. Effects of the departure of James.

THE departure of James produced a ſudden alteration in the views and the hopes of every party. The affection and confidence of his friends were ſtaggered by a deſertion, for which they were not prepared. All their plans, for accompliſhing a reconciliation between the king and his offended ſubjects, were entirely diſconcerted,

certed, and the hopes of ſettled government removed to a great diſtance. In proportion to the depreſſion and embarraſſment of the adherents of James, the ſpirits of the prince of Orange and his friends were elated, and their proſpects became more flattering and extenſive [1].

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The peers, who were in London, met at Weſtminſter on the twenty-fifth of December, and, after ſigning the aſſociation drawn up at Exeter, unanimouſly addreſſed the prince of Orange, to aſſume the adminiſtration of government, and to write circular letters to all the different bodies of electors, requeſting them to chuſe repreſentatives, to meet at Weſtminſter on the twenty-ſecond of January one thouſand ſix hundred and eighty-nine, in order to deliberate concerning the final ſettlement of the nation [2]. This addreſs was not more acceptable to the prince, than other reſolutions of the lords, which removed the principal obſtructions to ſuch a plan of ſettling the nation, as he might naturally be ſuppoſed to deſire. They unanimouſly refuſed to receive a letter left by king James, containing an apology for his departure out of the kingdom, and declined making any inquiry into the evidence of the birth of the prince of Wales [3]. By theſe reſolutions, they opened a plain and direct path to that important concluſion, upon which the revolution was founded, namely, that

The peers in London addreſs the prince to aſſume the adminiſtration of government.

[1] Clarendon's Diary, December.

[2] The number of peers who met at Weſtminſter appears to have been about ſeventy: they increaſed afterwards, in the courſe of theſe previous deliberations, to ninety. The duke of Somerſet, the earls of Pembroke and Nottingham, lord Wharton, and all the biſhops, except Compton of London, refuſed to ſign the aſſociation. The lords iſſued an order by their own authority, for all papiſts to depart from London and Weſtminſter.

[3] Clarendon's Diary, December.

there

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there was a demiſe of the crown, or abdication of the government. Some of the lords precipitately moved, that the crown was vacant; and that the princeſs of Orange ſhould be declared queen; but the oppoſition which this motion received, both from the friends of her huſband, and from the few who were ſtill attached to the intereſt of king James, prevented that celerity of deciſion, which could hardly have laid the foundation of a quiet and permanent ſettlement [4].

He waits for ſome teſtimony of the approbation of the commons.

The prince, attentive to the forms of the conſtitution, as far as it was poſſible to obſerve them, during the preſent ceſſation of executive authority, deferred his acceptance of the government, till he afforded the commons an opportunity of expreſſing their concurrence with the addreſs of the lords. He called together all thoſe perſons who had ſerved in any of the parliaments of Charles II., and the lord mayor and aldermen of the city of London, requeſting their advice upon the preſent ſtate of the nation. The reſtricting his invitation to the members, who had ſat in parliament during the reign of Charles, was differently interpreted, according to the influence of political prejudices and connexions. By ſome it was cenſured, as equally partial and impolitic: by others it was conſidered, as a becoming teſtimony of that reſpect which the prince entertained for the purity of the conſtitution [5]. The members of the parliament of James, it was aſſerted, could not be conſidered as repreſentatives of the people, becauſe they had been elected, under illegal and arbitrary alterations upon the charters of the boroughs. Their perſonal conduct alſo appeared blameable, becauſe they had ex-

23d Dec. Summons the members who had ſerved in parliament during the reign of Charles II.

[4] Clarendon's Diary, December.

[5] Ralph, vol. ii. p. 5.

ceeded

ceeded in their conceſſions to prerogative at the commencement of his reign; though ſome atonement they certainly had made to their conſtituents, by that firm reſiſtance to the diſpenſing power, which proved the cauſe of their diſſolution. CHAP. IX. 1688.

Agreeably to the deſire of the prince, about three hundred members of the commons [6], the lord mayor, and the aldermen of the city of London, met at Weſtminſter upon the day appointed, when the prince addreſſed them in a ſhort ſpeech, and entreated their advice with reſpect to the beſt method of purſuing the ends of his declaration; namely, to obtain a free parliament; to ſecure the proteſtant religion; and the ancient laws and conſtitution of the kingdom. They meet. 26th Dec.

The members of the commons unanimouſly adopted the reſolutions of the lords. They thanked the prince for having expoſed his perſon in preſervation of their religion; they ſigned the aſſociation of adherence to him, and prayed him to ſummon a convention to meet on the twenty-ſecond of January one thouſand ſix hundred and eighty-nine [7]. Addreſs him to call a convention.

The prince, in compliance with the addreſs of the lords, and of the repreſentatives of the commons, iſſued circular letters for the meeting of the convention, and aſſumed the direction of the government, as far as was neceſſary for the purpoſes recommended to him. He complies with their deſire.

During the interval between the ſummons and the meeting of the convention, many of the nobility and principal gentlemen attended the levee of the prince of Orange. He received them with civility, but with reſerve; and, by avoiding Conduct of the prince previous to the meeting of the convention.

[6] Reresby, p. 303.
[7] Journ. Commons, 26th December.

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ing the appearance of predilection for any party, he gave no occaſion for offence or jealouſy, which might have marred that unanimity, upon which the happy ſettlement of the nation depended [8]. Some of the biſhops and tories expreſſed their diſſatisfaction, upon account of that attention and reſpect, which the prince ſhewed to the proteſtant diſſenters. It does not appear, however, that, in this inſtance, he did any thing more than what was required by the dictates of prudence, and the common rules of politeneſs [9]. He was juſtly applauded for his caution in declining to enter into converſation upon any ſpecific plan for ſettling the government; though ſome perſons, who were intruſted with the management of his buſineſs, ſeemed anxious to diſcover the opinions and inclinations, of the Engliſh nobility, who daily reſorted to him under the pretext of compliment, or buſineſs [10]. It is ſomewhat remarkable, that particular expreſſions and arguments, which were afterwards cenſured as new and unconſtitutional, in the courſe of debates in the convention parliament, were firſt introduced in theſe private conferences, by ſome of the moſt zealous friends of the prince of Orange [11].

Mr. Bentinck and Mr. Sydney were the perſons who privately poſſeſſed the confidence of the prince. The former had merited his early favour by ſingular evidences of attachment to his perſon, and acquired his eſteem by tried faithfulneſs and capacity in buſineſs [12]. The latter had long reſi-

ded

[8] Echard, vol. iii.

[9] Letter to the Convention.

[10] Buckingham's Works, vol. ii.

[11] Clarendon's Diary, January.

[12] Mr. Bentinck attended the prince of Orange, during his illneſs in the ſmall-pox, for the ſpace of ſixteen days and nights, adminiſtered

ded in Holland, had been privy to the correſpondence between the prince and his friends, and adviſed him in every ſtep he had taken, for interpoſing publicly in the affairs of England. The marquis of Halifax, the earls of Shrewſbury, Nottingham, Danby, Lords Mordaunt, Delamere, admiral Herbert, and Mr. Ruſſel, were all diſtinguiſhed by particular marks of the prince's attention [13]. CHAP. IX. 1688.

The few acts of government, exerciſed by him, previous to the meeting of the convention, had a provident reſpect to his own future ſucceſs, as well as to the ſafety of the nation. He publiſhed a declaration, giving authority to all ſheriffs, juſtices of peace, and other officers who were not papiſts, and who had received their commiſſions before the firſt of December, to continue in office. He ſent orders to the city, to ſuſpend the oaths, uſually adminiſtered to the members, when elected into the common council. A few regiments, under the command of officers ſecretly attached to James, were diſbanded; and, that the army might ſuſtain no material diminution, the private men were incorporated into ſtanding regiments of unſuſpected fidelity to the prince. To diſcharge the arrears of the army, and to remove every cauſe of diſcontent, the ſum of two hundred thouſand pounds was borrowed from an aſ- His acts of government. 30th Dec.

adminiſtered to him all his medicines and food, and never moved from his bed. Immediately after the prince's recovery, he fell ſick of the ſame diſtemper, and was in the greateſt danger As ſoon as he recovered, he attended his maſter to the field of battle, and was always near his perſon. He was ſent to Brandenburg to communicate to the elector, the prince's intended expedition to England, and was principally truſted with directing the preparations for it. Life of William, vol. i. p. 65.

[13] Burnet.

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sociation of citizens. The alacrity and readineſs with which it was granted, yielded the prince a pleaſing earneſt of the good wiſhes and friendly aſſiſtance of the metropolis. Many of the ſailors having deſerted upon account of the irregular payment of their wages, a proclamation was publiſhed, tendering a free pardon and payment of arrears, to ſuch as returned to the ſervice of their country. To remove every appearance of undue influence upon electors, all the regiments were commanded to march from the counties and towns where elections were to be held. An order was publiſhed to control the licentiouſneſs of the preſs, and to prevent all publications containing falſe and malicious repreſentations of characters and meaſures, and tending to diſturb the public peace [14]. By th variety and wildnes of thoſe projects of governement which daily iſſued from the preſs, without falling under this prohibition, the minds of the people were now wound up to the higheſt pitch of curioſity and impatience, concerning the important event referred to the deciſion of the convention.

8th January.

16th Jan.

5th Jan.

Election.

The elections of the members for the convention were carried on without diſorder and violence. The remembrance of the grievances, which the nation had endured under James, was recent; the ſucceſs of the prince of Orange, and a confidence in his virtues, had great influence upon many of the electors. Several of the counties and boroughs had fixed their choice immediately after the ſummons for a meeting of parliament by James, profeſſedly called for the purpoſe of redreſſing grievances, and to that choice they now adhered [15].

[14] Ralph, vol. ii. p. 20.
[15] Burnet.

The

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1689. Convention meets.

The grand convention met at Weſtminſter on the twenty-ſecond of January one thouſand ſix hundred and eighty-nine. In the houſe of lords, the marquis of Halifax and the earl of Danby were competitors for the office of ſpeaker, and the former was preferred. In the lower houſe, Mr. Powle was unanimouſly choſen [16]. A letter was preſented from the prince of Orange to both houſes, in which he mentioned the endeavours he had uſed to promote the peace and ſafety of the nation; and recommended to them, to lay the foundation of a firm ſecurity for their religion, laws, and liberties. That no interruption might be given to an happy and laſting ſettlement, he repreſented the dangerous condition of the proteſtant intereſt, in Ireland, which required large and ſpeedy ſuccours. He recommended to their particular friendſhip and aſſiſtance, the States of Holland, by whom he had been enabled to undertake ſuch an expenſive and hazardous expedition, for the deliverance of England [17].

Addreſſes the prince.

Both houſes preſented an addreſs of thanks to the prince, for the ſervices he had rendered the nation; and prayed that he would aſſume the adminiſtration of affairs, and that he would take particular care of the preſent ſtate of Ireland [18].

A letter from James rejected.

A letter from king James was ſent, by lord Preſton, to both houſes of parliament. The commons rejected it, unopened. The lords examined the meſſenger who received it from lord Melfort, but no notice was taken of it afterwards [19].

[16] Journ. Lords and Commons, 22d Jan.
[17] Ibid.
[18] Ibid.
[19] Journ. Lords, 4th Feb.

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General view of the commons, concerning the ſtate of the nation.

Upon the 28th of January, the lower houſe reſolved itſelf into a committee, to take into conſideration the ſtate of the nation. From the opportunities, which had occurred, of diſcovering the private opinions of men of every party and ſtation, concerning the various projects for ſettling the government, the members of the convention well underſtood, that the general tenor of national ſentiments ran againſt innovations; while, at the ſame time, the reſtoration of James appeared, even to thoſe who were attached to his family, to be in the higheſt degree alarming and dangerous. But though a great majority in the houſe of commons were diſpoſed to ſet aſide James, yet it was evident that this meaſure muſt have been attended with unſurmountable difficulties, if conducted with a rigid reſpect to the ordinary forms of law, or even with that deliberation which juſtice ſeemed to require, in common caſes, relative to the property, or character, of individuals. If the convention could aſſume it, as a preliminary propoſition, that the throne was already vacant, it would not only carry them forward to an advanced ſtage of the buſineſs, but cut off many objections and embarraſſments, which muſt of neceſſity cramp the freedom of debate, and expoſe the ſettlement of the nation to great delay and hazard. It ſeems therefore to have been a reſolution, tacitly adopted by the lower houſe, not to agitate any previous queſtions, which might lead to a diſcuſſion of the competency of their judicial power, in any caſe relative to the conduct of the king; but rather to proceed as if theſe had been already decided, and to employ their deliberations for re-eſtabliſhing a government, which had ceaſed or expired, from the voluntary renunciation of the perſon to whom it had been intruſted[20].

[20] See Speeches of Serjeant Maynard, Harboard, Treby. Grey's Debates, vol. ix. p. 12, &c.

Mr.

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1689.

Debates of the commons concerning the ſettling of the government.

Mr. Dolben, who opened the debate, propoſed to confine his views to the ſtate of the nation, without entering into the conſideration of remedies for the misfortunes in which it was involved. The propoſition he aſſumed, as the ground of his arguments, was, that a demiſe of government had happened. He maintained, agreeably to the ſignification of the original word from which it was derived, that not only the natural death of the perſon who was at the head of the government, but ſuch a conduct as was productive of the ſame effects, or an interruption and diſcontinuance of its functions, ought, in ſtrict propriety, to be interpreted a demiſe. By the departure of the king, who had carried off the great ſeal, the formal inſtrument of all legal proceedings, the ſeveral courts of juſtice had expired, and all public buſineſs was at a ſtand. The examples of former times, upon emergencies ſimilar to what had now happened, removed the objection of novelty againſt the doctrine he maintained, and the reſolution which he wiſhed to found upon it. The reſignation of the crown by Edward the ſecond, though conſtrained by impriſonment and menaces; the flight of Edward the fourth, though neceſſary to his perſonal ſafety; were pronounced by the ableſt lawyers to be a demiſe of the crown, and followed with all the effects, which a natural demiſe muſt have produced[21].

It was argued by others, that the neglect of duty and the deſertion of government, were terms, which conveyed too ſoft a repreſentation of the miſconduct of James. The man who neglects the duties of his office through indolence and diſſipation, or relinquiſhes it through timidity, is equally incapable and unworthy of truſt. But the man

[21] Grey's Debates, vol ix.

who

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who betrays truſt, and employs the powers and opportunities he enjoys, to ſubvert the very ends for which they were beſtowed, has reached the moſt conſummate pitch of depravity. The maladminiſtration and criminality of the late king, juſtified the higheſt degree of public indignation and legal reſentment. The innumerable acts of tyranny of which they had been witneſſes, and under which many of them had ſuffered, indicated not only an incapacity for government, but a ſpirit, repugnant to the conſtitution of England, and bent upon its deſtruction. No prince had ever maintained more extravagant ideas of monarchical prerogatives, than James the firſt of England, yet even he never preſumed to exalt them above the authority of law; but ſolemnly declared, in parliament, "that the moment a king breaks in upon "the laws, he ceaſes to be a king[22]." What, but a confidence in the ſupremacy of the law, as controlling the will, and binding the hands of the prince himſelf, had defeated the obſtinate, though, as it now appeared, the wiſe ſtruggles againſt the order of ſucceſſion, in the perſon of the preſent prince? As often as the malignant ſpirit of popery had been delineated, and the fatal event of this day predicted, in the courſe of the debates on the bill of excluſion, as often it had been replied, "that the king of England was only the miniſter, "and not the maſter, of the laws; and that the "adminiſtration of government could be veſted "in proteſtants alone, and managed only for the "intereſt of the proteſtant religion[23]." The removal of the king to France, diſcovered a diſpoſition alienated from his ſubjects; and his return,

[22] Speech of Sir G. Treby. Ibid.
[23] Speech of Sir G. Treby. Grey's Debates, vol. ix.

and

and the recovery of is crown, if accompliſhed by the aſſiſtance of ſuch an ally, muſt be attended with the ſlavery of his native kingdom[24]. CHAP. IX. 1689.

The imbecility of argument, and the coldneſs of affection, with which the friends of James ſupported his cauſe, in the lower houſe, were, no leſs than the zeal and number of his opponents, an evidence of the deſperate ſituation of his affairs. Their arguments referred principally to the preliminary queſtion, which was taken for granted by thoſe who ſpoke on the other ſide; namely, "Whether the convention had powers adequate to ſuch "an important deciſion, as that of finding the "throne vacant?"

There were a few, who denied the poſſibility of ſuch an event as the demiſe of the crown, in an hereditary monarchy. Could the interference of the convention, or the united authority of all the electors in the kingdom, violate the natural and eſtabliſhed order of deſcent? The attempt, if ſucceſsful in this inſtance, would ſuggeſt inferences of extenſive and alarming application; and ſhake all the ſecurities, which the law had given to individuals, for the preſervation of their rights and property[25]. But even thoſe, who, in the courſe of the debate, maintained the principles of the tories, expreſſed the moſt pointed cenſure of the mal-adminiſtration and miſconduct of the late king; and the moſt forward deſire to purſue ſuch meaſures, as might effectually prevent his return to power. Affected with a deep ſenſe of the injuries they had ſuſtained under his arbitrary government, juſtly apprehenſive of the continuance and increaſe of them, if he ſhould again aſcend the throne, they haſtened, without a ſcrupulous attachment to

[24] Grey's Debates, vol. ix.
[25] Ibid.

forms,

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forms, to pronounce a ſentence, which his demerit juſtified, and their own ſafety indiſpenſably required. But, though the majority of the houſe might be perſuaded, upon an extraordinary occaſion, to deviate from common forms, yet it was evident that it would give a greater weight to their reſolutions, if any precedent could be found, exactly ſuited to the ſituation of the kingdom, and to the remedy propoſed. None of the examples, cited from the Engliſh hiſtory, were conformed, in every circumſtance, to the event which now engaged their deliberation. Richard the ſecond was perſonally apprehended by the barons, and ſpecifically charged with offences, not only againſt the ſtate, but againſt individuals; and he had ſubſcribed an inſtrument, formally reſigning the crown. Edward the fourth, and Henry the ſixth, fled from the violence of their enemies, and abdicated the government by compulſion. To remove the doubts of thoſe, who objected to the novelty and temerity of excluding James from returning to the throne, Mr. Somers, with great addreſs, directed the attention of the houſe to a foreign tranſaction, which, as it had been ſuggeſted by a ſituation preciſely ſimilar to that of England, ſo it exhibited an example of the moſt ſucceſsful plan of ſettling a government, diſturbed and interrupted, by the bigotry and deſertion of the ſupreme magiſtrate[26]. Sigiſmund, next heir to the crown of Sweden, had, during the life of his father, become a convert to the Roman catholic religion. His future ſubjects, like the people of England, in the reign of Charles the Second, looked forward, with diſmal apprehenſions, to a ſucceſſion ſo threatening to the intereſts of their religion.

1592. After the death of his father, their fears were in

[26] Grey's Debates, vol. ix.

ſome

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ſome meaſure removed, and their allegiance engaged, by the moſt ſolemn declarations of Sigiſmund, that he would maintain the laws and religion of Sweden. Regardleſs of theſe, he ſtill proſecuted the inſtigations of bigotry, erected a popiſh church in the capital, conferred offices of the higheſt truſt upon Roman catholics, and put his garriſons into their hands. The alarm of his ſubjects now roſe to the higheſt pitch: All ranks of men united to defend their religion and laws, and to avenge the treachery of their ſovereign. Sigiſmund ſuddenly fled into Poland. An aſſembly of the States, which met at Stockholm, not only declared that he had abdicated the crown and government, but they renounced his family, and ſettled the crown upon his uncle, Charles, duke of Sudermania, and upon his heirs, who were proteſtants[27]. The juſtice of this ſentence was applauded by all the proteſtant ſtates in Europe. The ſimilarity of circumſtances recommended it to the imitation of the Engliſh convention, and inſured the approbation of foreign nations[28]. As the

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1607.

[27] State Tracts, T. W. vol. i. p. 229.

[28] Sigiſmund the third had been elected, during the reign of his father, to fill the throne of Poland, by the intereſt of his mother, who was of the royal Sigillonian race. The prejudices inſtilled into his mind, at an early period, by her, were confirmed by the intrigues of the jeſuits; and he became an avowed convert to the Roman catholic religion. The ſimilarity of his character to that of James, and of the ſituation of England to that of Sweden, muſt naturally have had a conſiderable influence in leading to the concluſion of the important debate on the ſettlement of the nation. Theſe circumſtances deſerve to be reflected, in gratitude to the memory of that illuſtrious perſon, who was an honour to his party; and in this, and in many other inſtances, eminently inſtrumental in ſerving the cauſe of liberty.

The word Abdication was probably borrowed from Grotius, whoſe authority was often cited in the courſe of theſe debates. In the following ſentence, he puts a caſe exactly reſembling that which

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the conduct of James, his profeſſion of the Roman catholic religion, and his deſertion of the kingdom, exhibited an exact counterpart to the charges brought againſt Sigiſmund; ſo the following reſolutions of the convention appeared to be, almoſt, a literal tranſcript of the ſentence of the States of Sweden; namely, that king James the Second, having endeavoured to ſubvert the conſtitution of the kingdom, by breaking the original contract between the king and people, and, by the advice of jeſuits and other wicked perſons, having violated the fundamental laws, and withdrawn himſelf out of this kingdom, has abdicated the government; and that the throne is become vacant[29].

Final reſolutions.

Theſe reſolutions of the commons were carried by Mr. Hampden to the houſe of lords, who immediately reſolved themſelves into a committee of the whole houſe, to conſider the ſtate of the nation.

Debates in the houſe of lords concerning ſettling the nation.

The earlof Nottingham, who opened the queſtion, admitted, for ſake of argument, the ſuppoſition, that the throne was vacant, that he might immediately bring under diſcuſſion the meaſures proper to be taken, for accompliſhing the ſettlement of the nation[30]. The very idea of hereditary monarchy, ſuch as that of England, implied the indefeaſible ſucceſſion of the next heir, upon the event of a vacancy. By the eſtabliſhed principles of the conſtitution, this was a point fixed, and

which exiſted in England at this time. "*Si rex aut alius quis, "imperium abdicavit aut manifeſte habet pro derelicto, in eum, poſt "id tempus, omnia licent quæ in privatam, &c. &c.*" Grotius de Jure Belli et Pacis; lib. i. cap. 4. ſec. 9. p. 150. See alſo lib. ii. cap. 7. ſec. 26.

[29] Journ. Commons, 28th January.

[30] Lords Debates, vol. i. p. 339. Burnet, 1689.

unalterable,

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unalterable, and could not be ſubmitted to the opinion of the convention. If this queſtion was even under their deciſion, they would be but little friendly to their country, who could wiſh to alter the eſtabliſhed law, and to introduce dilatory forms, and diſputable qualifications, in ſupplying the preſent vacancy of the throne. It was eaſy to foreſee, that a departure from the lineal ſucceſſion would prove a permanent ſource of intrigue and civil commotion. If but a ſingle precedent for electing a king of England was eſtabliſhed, however peculiar and urgent the occaſion, it would for ever deſtroy the energy and ſtability of the monarchy, and tranſmit the ſeeds of civil war to remote generations, who, without feeling the grievances of which their fathers complained, would imitate the example, and follow the innovation, which they had introduced: it would keep alive diſtruſt and jealouſy between the king and his ſubjects. The former would conſider himſelf, as but little intereſted in that national glory, which was not to redound to the honour of his poſterity. The ſingle object of his policy and influence would be, to ſecure to himſelf, and bequeath, to his heirs, the aggrandiſement he had obtained; while, on the other hand, ſubjects, conſcious of a power to overturn or transfer the throne, would be impatient to find an opportunity or pretext for exerciſing it. They would be ready to put the harſheſt conſtruction upon the conduct of their ſovereign, and to torment themſelves with imaginary grievances. The ſafeſt and moſt obvious remedy, in the preſent criſis, was, what the law had provided, in caſes ſimilar to it, ſuch as the nonage or the inſanity of the royal heir, by appointing a regent to adminiſter the government, in the name and behalf of the perſon, in whom the rightful authority was inherent.

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rent. A regency, therefore, was propoſed, on account of its analogy to the cuſtoms of the conſtitution, as preferable to any other plan of ſettling the government, and ſaving the liberties of England[31].

It was anſwered by the lords, who were in the intereſt of the whigs, that the ſituation of the kingdom was entirely different from that, which was legally provided for, by the temporary ſubſtitution of a regent; nor was it fair to ſuſpect, that a remedy adapted to extraordinary circumſtances, would, in future, give any ſanction to a wanton, and unneceſſary deviation, from the eſtabliſhed forms of the conſtitution. The power of a regent was ſubſidiary to that of the prince, not excluſive of it: the authority of the former was ſubſtituted in the room of the latter, becauſe there was a natural impoſſibility, that a prince, who was an infant, or inſane, or abſent, could expreſs his commands, or enforce obedience to them. In the preſent caſe it was evident, that the authority of a regent muſt operate, to the detriment and ſubverſion of the authority upon which it was grafted. It hung out a ſignal to the factious and diſcontented, who would never want an opportunity for embroiling the nation, and exerciſing their miſchievous paſſions, under the cover of zeal for the conſtitution. Some would court the favour of the prince, and others that of the regent. Thoſe, who could not find preferments under the patronage of the regent, would embrace more promiſing hopes of ſucceſs, by exerting their utmoſt efforts, to ſuppreſs the delegated and fictitious, and to reſtore the original, and ſupreme authority of the State. The dangers, apprehended from the example of electing a monarch, were not likely to ariſe, from the propoſed

[31] Burnet.

expedient

expedient of electing a regent. What difference could it make to the nation, which of these precedents was preferred hereafter; whether factious and discontented men, without any sufficient ground for justifying so violent a measure, should depose the prince, by setting up another prince in his place, to deprive him of actual authority, by substituting a regent? Both precedents were equally liable to imitation, and would be equally productive of violent effects in the nation. But, with respect to the situation of subjects, who obeyed a king in possession, or obeyed a regent, obtruded upon the rightful sovereign, the case was not alike dangerous. By the statute of Henry VII., the subjects, who had submitted to a king in possession, were screened from the penalties of the law, and the resentment of a rival who might finally prove successful. But, for those, who yielded to the usurpation of a regent, the law had provided no reservation of mercy. If a regent, set up against the will and approbation of the prince, should be displaced by the re-establishment of the royal authority, all who had supported him, and held commissions under him, would be exposed to the charge of high treason, and the uncontrolled vengeance of the power they had dishonoured. This distinction, adopted by the law of England, was rooted in the obvious principles of reason and equity. The possession of the crown, involving all the faculties of executive authority, was quite an overmatch for every mean of resistance, which private members of the state could employ; while, at the same time, the arguments, produced in support of the claim of contending rivals for the throne, were often too complicated for the comprehension of men of ordinary understanding, who were actuated by the most upright intentions. But, the very

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very title of a regent, though he had obtained the command of the revenue of the ſtate, and the ſervices of its ſubordinate officers, ſtill referred to an authority original, and paramount to itſelf. It ſuppoſed, that there exiſted, ſomewhere, a power, which had a prior claim to the allegiance of the people. To obey a regent, acting in oppoſition to his conſtituent, was ſuch a palpable violation of duty, ſuch a wilful contempt of ſupreme authority, that the legiſlature never could imagine any circumſtance of exculpation or apology, for thoſe to whom it was imputed[32].

As this view of the queſtion was ſupported by ſtrength of argument, ſo it was alſo accommodated to the prejudices and intereſts of men, who uſually differed upon political ſubjects. The moderate tories, who were deſirous to raiſe the princeſs of Orange to the throne of her father, were, upon this occaſion, reinforced by the whole body of the whigs, who deſtined the ſame dignity for her conſort the prince of Orange, and both joined in the vote to prefer a king to a regent. This reſolution was carried by a majority of two votes, fifty-one to forty-nine.

Reſolutions and vote.

29th Jan.

So far as the lords had already proceeded in the ſettlement of the nation, they had not ſo much as entered upon the ground which the commons had occupied, and therefore found no occaſion for interfering with their ſentiments, or for expreſſing their diſſent from any part of the reſolutions which they had adopted. As if deſirous to keep aloof from the field of contention, they ſtill perſevered, in a diſtant track of diſcuſſion, to inſiſt upon the topics, which, though connected with the grand ſubject of inquiry, had not been inveſtigated by the lower houſe. In the iſſue of their firſt debate, they had gained ground upon the commons, and anticipated the remote conſequence of their reſo-

[32] Burnet. Lords' Debates, vol. i.

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lutions. The commons had only found that the throne was vacant; the lords determined to fill it with a king. By a retrograde motion upon the ſecond day, they returned to a ſtage of the buſineſs, anterior to that from which the commons had ſet out, and largely inſiſted upon the principles which they had taken for granted, in order to haſten to the concluſion, that the king had abdicated the throne. 1689.

The celebrated queſtion of the original contract, now exerciſed the ingenuity and the eloquence of the moſt accompliſhed ſpeakers in the upper houſe. In ſupport of the queſtion, it was argued, that all power, flowing from the people, muſt have been originally transferred to their delegates upon certain conditions, formally ſtipulated, or, in the very nature of the caſe, ſuppoſed. The oath of the king of England at his coronation, though expreſſed in more general terms than had been uſed in ancient times, ſtill implied a truſt committed, or dignity and influence conveyed to him, for the protection and benefit of his people. Every oath of truſt, required of men before they entered upon the execution of office, was intended, not only to check that abuſe and negligence, which eluded the detection of thoſe who were affected by them, but alſo to ſignify the ſolemn aſſent of the truſtee, to the conditions under which his truſt was held; that, upon the notorious violation of them, he might be diſplaced, and brought to condign puniſhment. If ever the people could be juſtified for reſuming their power, and following the conſequences of this doctrine, it muſt be, after having endured the moſt extreme oppreſſion, and after having tried, in vain, every other method of redreſs. If precedents were wanting to corroborate a propoſition ſo deeply founded in reaſon and neceſſity, and ſo eſſentially connected with the original

The queſtion concerning the original contract.

30th Jan.

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nal rights of mankind, it only evinced the enormity of their oppreſſion, which required bold and untried means of deliverance. Future generations would revere the memory of thoſe patriots, who had exhibited a precedent, ſo well calculated to admoniſh princes, and to overawe the firſt motions of tyranny.

The arguments oppoſed to theſe, were compounded of the ſtale maxims in ſupport of arbitrary power, and hereditary, indefeaſible right, which, to the diſgrace of the age, had been ſpreading among all orders of men; that kings received their power from God, and to him only were accountable for the exerciſe of it; that the coronation oath did not raiſe the king to the throne, but found him already ſeated upon it; nor did the words of it expreſs diſability or forfeiture, either in caſe he ſhould decline to take the oath, or violate the obligations expreſſed by it. Arguments, glaringly deficient in ſolidity, require every proof of ſincerity, and the moſt regular conformity in practice by thoſe who urge them, in order to gain patient attention from the perſons to whom they are addreſſed. Propoſitions, contradicted by the actions of the men who now undertook the defence of them, and who, in the ſteps they had already taken, had loſt ſight of their theories, were little calculated to impreſs conviction; and the reſolution, that there was an original contract, prevailed by a majority of ſeven votes. Fifty-three voted for it, and ſix againſt it[33].

Reſolutions and vote.

The commons avoid any farther meaſures for ſettling the government.

During the continuance of theſe debates in the houſe of lords, the commons, once and again, reſumed the queſtion concerning the ſtate of the nation. There were many who wiſhed to bring their

[33] Rereſby. Lords' Debates, &c.

debates

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debates upon this ſubject to ſuch concluſions, as might contribute to the extenſive and durable amendment of the conſtitution. They were of opinion, that the preſent moment afforded an opportunity, which the revolution of ages might not recal, for erecting fences againſt future oppreſſion, and fortifying the liberties of the ſubject. There were ſome who propoſed, that, as the commons had proceeded ſo far as to find the throne vacant, ſo they ought to complete their work, by naming the perſon who was to ſucceed to it[34]. Obvious conſiderations of prudence reſtrained the majority of members in the lower houſe from agreeing to this propoſal. They were aware of thoſe heats which would unavoidably ariſe among themſelves, upon the diſcuſſion of queſtions of the moſt delicate nature. They foreſaw, that it would occaſion a miſunderſtanding with the other houſe, which diſcovered no forwardneſs to concur with the reſolutions which they had already adopted, and that even the united authority, of both houſes of convention, might be liable to exception, if any change in the laws or conſtitution, however beneficial, was introduced during the abſence, or extinction, of the ſupreme magiſtrate. They were therefore of opinion, that all queſtions relative to the amendment of the conſtitution, ought to be poſtponed, till they had reſtored the government to its entire ſtate, by ſupplying that branch of the legiſlature which they had found to be deficient. They profeſſed to believe, that the declaration of the prince of Orange afforded them ſufficient ſecurity, for his conſenting to whatever laws might appear to be neceſſary, after cool deliberation, for bringing the conſtitution to perfection. One important vote only, during this interval, was paſſed

[34] Grey's Debates.

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by the commons, which could give no offence, nor be conſidered as any exception to the general tenor of the arguments now mentioned; namely, that popery having been found by experience, to be incompatible with the nature of the Engliſh conſtitution, Roman catholics ſhould for ever be excluded from ſucceeding to the throne[35]. Upon the ſame principles of prudence, which induced them to abſtain from farther amendments, they were anxious not to excite the jealouſy of the lords, by taking the lead in every part of the arduous buſineſs now depending; and having laid the foundations of the new fabric of government, they wiſhed to leave to the other houſe the merit of raiſing the ſuperſtructure.

The lords propoſe amendments upon the reſolutions of the commons.

On the thirtieth of January, the committee of the lords took under conſideration thoſe clauſes, in the reſolutions of the commons, which laid them under the unavoidable neceſſity of expreſſing either their agreement, or diſſent. Had king James abdicated the throne? If he had, was the throne conſequently vacant? After the full diſcuſſion of theſe topics in the houſe of commons, it was not to be expected that any new arguments could be brought forward, in the courſe of the debates, in the houſe of lords, though they laſted for two days, and at laſt terminated in theſe two amendments: firſt, that, in place of abdicating the throne, they ſhould ſubſtitute, deſerted the throne; and, ſecondly, that the clauſe that the throne had become vacant, ſhould be entirely omitted[36].

Obſervations.

In the courſe of theſe debates and votes in the houſe of lords, there was an evident partiality to the principles of the tories, while, at the ſame time, the views and intereſts of individuals occaſi-

[35] Journ. Commons, 29th January.
[36] Journ. Lords, 30th January.

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1689.

onally checked the ſpirit and tendency of their principles, and formed a coalition among men of different parties. The tories were diſpoſed to prefer a regent to a king, and to admit the idea of an original contract, or to aſſent to any vote, tending to cenſure the mal-adminiſtration of James; but they did not chuſe to ratify any concluſion, derogatory from the dignity of the monarchy, in an abſtract view; and this they dreaded to be the conſequence of voting for an abdication, or vacancy in the throne. The earls of Nottingham, Clarendon, and lord Danby, though they differed in their opinions upon ſome of theſe queſtions diſcuſſed, were equally attached to tory principles. The biſhops, almoſt without exception, adhered to them. Lord Halifax was a powerful advocate for the principles of the whigs. Though he had early entered into a correſpondence with the prince of Orange, yet his ſincerity and ſteadineſs were ſuſpected, becauſe he diſapproved of his expedition into England as premature; and after the arrival of the prince, he had accepted a commiſſion from James, to unite them in a plan for compoſing the diſcontents of the nation[36]. As if it had been with a view to retrieve his intereſt, or to ſtand foremoſt in favour with the new court, he now exerted his utmoſt abilities, in defence of the votes of the commons. He moved the reſolutions of raiſing the prince of Orange alone to the vacant throne. The combination of various intereſts for a while repelled his ſucceſs, and overpowered the influence of the whigs. The biſhops, though they had ſuffered under the tyranny of James, recoiled from a concluſion, which impeached their principles of hereditary right, or admitted any interruption of regal power. The tories adopted the ſame

[37] Burnet, 1689.

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ſentiments, and the few who ſecretly retained an affection for James, or wiſhed to reſerve any proſpect of ſucceſſion for his infant ſon, could accompliſh their deſire, only, by rejecting the idea of a vacancy in the throne[38]. The commons refuſed to admit the amendments of the lords: Conferences took place, which were managed on the part of both houſes, by perſons ſelected for their abilities; but neither of them could be perſuaded to depart from their reſolutions[39].

Conference between the two houſes.

That the reader might be aſſiſted to form juſt views of the principles, and temper, of different parties, and of the abilities of their leaders, I have attempted to exhibit a compendious view of the arguments, which were employed in ſupport of the ſeveral concluſions now recited. But, with reſpect to the controverſy carried on in the conferences between the two houſes, this attempt muſt be vain and impracticable. In the whole courſe of theſe debates, conducted by perſons of the firſt learning and abilities, and ſpun out with vexatious prolixity, we meet with nothing ſolid to fix the underſtanding; nothing curious to amuſe the imagination; nothing intereſting to animate affection[40]. Were the ruſty volumes of the ſchools to be ranſacked, they could not perhaps furniſh a more copious collection of verbal quibbles, and of obſcure, trifling, and incomprehenſible diſtinctions. The ſecret affections of men often taint the complexion of their arguments; and the foreſight of hated concluſions betrays them into the moſt

[38] Clarendon's Diary, January, February.

[39] Theſe conferences were managed by Mr. Hampden, ſerjeant Holt, Maynard, ſir George Treby, ſir Robert Howard, ſir Richard Temple, Mr. Sacheverel, and Pollexfen, for the commons: By the earls of Nottingham, Clarendon, Rocheſter, for the lords.

[40] Chandler's Hiſtory.

ſhameful

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ſhameful perverſion of judgment. Both parties kept their eyes fixed upon the conſequences, delucible from the principles about which they were contending, and remained immoveable, either by arguments or objections, which referred to the principles themſelves. The tories wiſhed to reject the doctrine of an elective monarchy; and adduced arguments, which, if purſued through all their conſequences, would have redounded to their own reproach, for having deviated ſo far, as they had already done, from their favourite maxims. The whigs were afraid of upbraiding them with the inconſiſtency of their conduct, or expoſing the futility of their reaſonings to that ridicule which they deſerved, leſt they ſhould have awakened animoſity, at a period which required the moſt cordial unanimity. They found it ſafeſt and moſt expedient to encounter them with their own weapons; and to endeavour to perplex and weary them with the ſophiſtry and length of argumentation; truſting, that ſome fortunate contingency might put a period to a ſtagnation of buſineſs, ſo dangerous in the preſent criſis of the nation. Their expectations were not diſappointed; and the following incidents account for that ſudden change of ſentiment, which took place in the upper houſe; and how it came to paſs, that the reſolutions of the commons, rejected by a majority of eleven votes, and oppoſed with inflexible obſtinacy in their conferences, were at laſt adopted by the lords; and the prince of Orange elected to fill the vacant throne[41].

Cauſes which conſtrained the lords to concur

1. The whole attention of the people of London had been engroſſed by the proceedings of the convention. They liſtened with applauſe to every motion tending to the ſettlement of the nation;

[41] Journ. Lords, 6th February.

but

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1689. with the resolutions of the commons.

but discovered impatience and resentment, when they heard of any objection, contrived to embarrass, or retard, that desirable event. Curiosity, long suspended, engenders ill humour and fretfulness; which naturally discharge themselves upon the persons, who are considered as the instruments of delaying or disappointing its gratification. The bold and direct resolutions of the commons; the dilatory, circuitous plan of proceeding pursued in the house of lords; the amendments they proposed, and the obstinacy and wrangling with which they adhered to them; left it no longer doubtful with the multitude, where the blame lay, or who the proper objects of their resentment were[42]. These rising discontents the lords had in vain attempted to allay, by assenting to the vote of the commons, to exclude papists from the succession to the throne, and by ordering that the anniversary thanksgiving, in commemoration of the accession of king James, should not be observed. The complaints of the people, perhaps secretly cherished by the whigs, still continued to increase; and, after the ineffectual conferences between the two houses, broke out into tumultuous and licentious importunity. Multitudes of the lower class of the inhabitants of London daily assembled in the different avenues to Westminster, and insulted the tory lords, with hisses and reproaches, in their way to the convention[43]. In order to render them universally odious, and to frighten them into a compliance with the resolutions of the commons, printed lists of their names were handed about, and they were threatened with vengeance, if they persisted to obstruct the desire of the nation. Petitions to both houses, entreating them to proceed,

Discontents

2d February. and tumults of the people.

[42] Cunningham's History, vol. i. p. 101.
[43] Clarendon's Diary, February.

without

without delay, to ſettle the crown upon the prince and princeſs of Orange, were carried about; and the perſons, who refuſed to ſubſcribe them, were treated with indignity, and threatened with violence[44]. Theſe diſorderly proceedings occaſioned a proclamation by the prince, prohibiting the people to diſturb the deliberations of the convention. But the delay of this proclamation, till the evil which it was intended to remedy had advanced too far, rendered it but little effectual to compoſe the tumults of the people, and to inſure the ſafety of thoſe, who favoured the reſolutions of the lords.

Declaration of the prince of Orange.

2. The behaviour, and the explicit declarations, of the prince, and princeſs of Orange, deſtroyed every hope of ſucceſs hitherto entertained by the peers, who had remonſtrated againſt the vote of the commons. The majority of the houſe of lords, tender of the rights of the princeſs, had adopted the reſolution of demanding an unreſerved communication of the ſentiments of her huſband, reſpecting the ſettlement of the nation. To lords Halifax, Danby, Shrewſbury, Nottingham, diſtinguiſhed by their influence in the upper houſe, the prince opened his views and intentions, and declared, that he would neither accept the office of regent, nor hold the royal power, in partnerſhip with his conſort, nor in dependance upon her[45]. Though he profeſſed indifference with reſpect to the iſſue of their reſolutions, and intimated his purpoſe of returning to Holland, yet as there remained only one expedient for ſettling the government, of which he had not diſaproved, it was not difficult to explore the ſecret wiſhes of his heart.

Of the princeſs of Orange

A declaration of the princeſs of Orange concurred, at the ſame time, to diſcourage the zeal, and

[44] State Tracts, T. W. 1ſt, 105.
[45] Burnet, 1689.

diſappoint

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diſappoint the projects of thoſe who had inliſted themſelves as her partiſans, and who intended to raiſe her to the ſupreme authority, in preference to her huſband. Lord Danby, who had been inſtrumental in promoting her marriage with the prince, was naturally conſidered as the head of this party, and had lately intimated its favourable intentions, by a ſpecial meſſenger ſent to the princeſs in Holland. She replied in the language of rebuke, "that ſhe was offended by the offer of any "dignity to herſelf, contrived to ſeparate her from "the intereſt of her huſband; and that ſhe never "would deviate from that reſpect and deference "which ſhe owed him as a wife." As a teſt of her ſincerity, and a barrier to all future exertions in her intereſt, ſhe tranſmitted lord Danby's letter to the prince, together with the anſwer ſhe had returned to it[46].

Of the princeſs Anne.

3. The declaration of the princeſs Anne, expreſſing her approbation of the ſettlement of the crown upon the prince as well as the princeſs of Orange, removed thoſe objections, which, attachment to her perſon, as well as a ſtrict regard to juſtice, oppoſed to the votes of the commons, and the general inclinations of the whigs. The transfer of the crown to the prince of Orange, not only during the life of his conſort, but during his own life, appeared to be an infraction of the order of ſucceſſion which neceſſity did not require, and an invaſion of the right of the princeſs Anne, which nothing but her conſent could juſtify. Convinced of her right to the crown, in preference to that of the prince of Orange, but, at the ſame time, of the precedency of her brother's claim to hers, the princeſs remained for ſome time perplexed and irreſolute. Though, by deſerting

[46] Clarendon. Burnet.

her

her father, she had given the most significant testimony of her approving of the expedition of the prince of Orange, yet, in confidence to her friends, she expressed an abhorrence of any measure injurious to the right and dignity of the former. Prince George, her husband, was nevertheless admitted into the private consultations of the prince, and was believed to concur in every measure favourable to his views of independent royalty. Lord Clarendon, staggered by these apparent inconsistencies, and zealous for maintaining the regular succession, waited upon the princess Anne, and availing himself of the privilege of a relation, demanded an explicit communication of her opinion and inclinations with respect to the settlement of the crown. She answered with frankness, and to his entire satisfaction, that she would take no part in any measure hurtful to her father's rights; and affirmed, that all reports to the contrary were false and abominable. This declaration she confirmed by a note written with her own hand, which she allowed lord Clarendon to keep in his possession[47]. Though the right of the princess was prior to that of William, yet it was only in consequence of his succession, and by a concurrence with his plans, that she could indulge the hope of ever sitting upon the throne of England; while the rank of next heir to the crown, and the promise of a liberal pension from the prince, presented to her alluring temptations of emolument and grandeur[48]. The influence of these prospects was seconded by the pressing advice of lady Churchill, who had acquired a powerful sway over the mind of her mistress, and with her elevation began to forecast those projects of honour and profit to her own fa-

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[47] Clarendon's Diary, 17th and 27th January, 5th February, and 12th March.

[48] Buckingham.

mily,

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mily, which ſhe afterwards had the good fortune to realize[49]. The princeſs, however, ſtill wiſhed to maintain the external appearance of decorum, and not to offend her perſonal friends wedded to the order of ſucceſſion, by any public approbation of the meaſures of the whigs; but, when the ſtrength of that party appeared inadequate to eſtabliſh the ſucceſſion of the prince of Orange, the baſis of her fondeſt proſpects, ſhe was conſtrained to drop the maſk, and to ſacrifice reputation for integrity and filial affection, at the ſhrine of ambition.

Effects of them.

This was the ſignal of alarm to thoſe who had hitherto ſtruggled againſt the advancement of the prince of Orange. When the current ſet in for his intereſt, ſome were afraid of being left behind in the competition for his favour, and ſome wiſhed, by the fervour of their zeal, to atone for paſt demerit. Upon the ſixth of February, when the great queſtion was decided, lords Cheſterfield, Holland, Weymouth, Ferrers, Godolphin, the biſhop of Oxford, who had voted for the regency, abſented themſelves from the houſe. Others, who had formerly diſcontinued their attendance upon the pretext of delicacy, becauſe they owed great perſonal obligations to king James, now came forward, and gave their voice in concurrence with the reſolutions of the commons. In this claſs were lords Churchill, Lincoln, Mulgrave, Carliſle, and Lexington[50]. Crew, biſhop of Durham, who had deeply participated of the guilt of king James, by the active part he had taken in the eccleſiaſtical commiſſion of which he was a member, now purchaſed his pardon and the confirmation of his dignity, by his ſervices to the prince of

[49] Conduct of the dutcheſs of Marlborough. Lidiard's Life of Marlborough, vol. i. p. 49.

[50] Life of William, vol. i.

Orange.

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Orange[51]. The queſtion to concur with the commons, in finding the abdication and vacancy of the throne, was carried by a majority of fifteen votes. The lords, though they had long retarded the ſettlement of the nation, afterwards exceeded the zeal of the commons, by putting the finiſhing hand to this work; and having firſt agreed to their vote, that the throne was vacant, they next came to the reſolution, that it ſhould be filled with the prince and princeſs of Orange; and that the full, regal power ſhould be veſted in the prince alone; and finally, that, after their deceaſe, it ſhould deſcend to the princeſs Anne[52]. This important reſolution was voted by a majority of twenty.

The lords concur with the votes of the commons; and ſettle the crown upon William and and Mary.

Thus the cauſe of the whigs ſurmounted an obſtinate and tedious oppoſition, and the prince of Orange was advanced to the throne, without being ſubjected to any limitations of authority, more than what were underſtood to be already inherent in the laws and conſtitution of England. Upon this idea was formed that celebrated inſtrument, called the bill of rights, and preſented to the prince and princeſs of Orange, together with the crown, and accepted by them, as the condition of obtaining and holding it.

Bill of rights.

The laſt act of the convention was an alteration of the oaths to government. The tories, though they had ſtruggled for a regency, and endeavoured to obſtruct a departure from the line of ſucceſſion, were by no means willing to be excluded from truſt and employment under the new government. Nor would it have been wiſe in the new king, to have ſtigmatized a body of men pre eminent in patrimonial dignity and influence. It was therefore referred to the leaders of that party in the

Alteration of the oaths.

[51] Burnet. 1689.
[52] Journ. Lords, 6th February.

houſe

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houſe of lords, to contrive ſuch a form of the oath of allegiance, as might ſecure their attachment and ſervices to the new government, while it did not offend their conſcience, or violate their honour[53]. They ſcrupled to acknowledge William as their rightful and lawful ſovereign, but they were ready to ſwear fidelity and allegiance to the king in poſſeſſion. By this accommodation, the ſcruples of the tories were removed, and the earl of Nottingham boaſted in the name of his party, that though they would not make a king, yet they would ſerve him as faithfully as thoſe who had made him.

Effects of the revolution with reſpect to the conſtitution.

Whether the revolution changed the conſtitution of the Engliſh government, and in what degree it has done ſo, are queſtions which have given occaſion to great wrangling and diverſity of opinion, among political authors. It is probable, that diſputants would be more nearly reconciled, and in part brought to agreement, if they were to ſeparate, or divide this queſtion.

1. It may be aſked, what the convention, which eſtabliſhed the revolution, thought, with reſpect to this ſubject? What they meant and profeſſed to do? They have anſwered theſe queſtions, in the language of the bill of rights. In the preamble to the bill it is aſſerted, that James, by the aſſiſtance of evil counſellors, had endeavoured to ſubvert the laws and liberty of the kingdom. After enumerating many examples of this, they introduce the bill of rights, with an expreſs declaration, that the purpoſe of it was to vindicate and aſſert their ancient rights and liberties. And having recited theſe, they conclude in the following words: "that "they do claim, demand, and inſiſt, upon all and

[53] Ibid. 12th February.

"ſingular

" ſingular the premiſes, as their undoubted rights " and liberties." CHAP. IX.

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So far then, as the authority of the convention is admitted to explain its own deſign, there is no ambiguity or room for diſpute. The profeſſed object of the revolution was, to maintain the government as it exiſted, to preſerve the *ancient*, *well known*, and *undoubted privileges*, of the people. By the aſſumption of this language, they acted with the moſt cautious prudence, and agreeable to the dictates of the wiſeſt policy. If the conſtitution had been once thrown looſe, it is impoſſible to ſay, how difficult it might have been to have fixed it again: If innovations had been avowedly introduced, how much they might have been multiplied, or where they might have ended. The very ground of their reſiſtance to king James, was his having attempted to introduce innovations into the conſtitution; and having prevailed againſt him, they acted with uniformity and conſiſtency, in profeſſing to heal the breaches that had been made upon it, and to reſtore it to its primitive and genuine purity. In this view of the ſubject all muſt agree, that the convention, in expreſſions plain, poſitive, and incontrovertible, declare againſt innovating upon the conſtitution, or changing it.

If the queſtion be put in another form, and reſtricted to the real matter of fact; if it be aſked, whether the conſtitution was actually changed by the revolution? a wider field of controverſy expands to our view, and a greater latitude of ſentiment muſt neceſſarily take place. My opinion upon this ſtate of the controverſy will occur, with greater propriety, in a ſubſequent part of this work[54]. I ſhall only in this place ſo far anticipate the ſentiments there expreſſed, as to obſerve, that

[54] See Chapter xxi.

there

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there is not any perſon, the moſt tenacious of the doctrine of the antiquity of our conſtitution, who will be inclined to deny, that whatever the rules of government may have formerly been, yet the maxims, and habits, and temper, of thoſe who govern, have been greatly reformed by the revolution.

Another queſtion naturally occurs; namely, how far was this meaſure, or the revolution itſelf, conformed to the genius of the conſtitution, or the eſtabliſhed laws of England? Though it may be deemed a kind of ſupererogation in argument, to ſay any thing in defence of a meaſure urged by neceſſity, and by every motive of reaſon and feeling, yet it may be ſatisfactory to ſome, to obſerve, that, by the revolution, the laws and conſtitution of England were not violated at all, or, at leaſt, in that degree, which is taken for granted by many, who are by no means to be conſidered as enemies to the revolution itſelf. From the period of the reformation in England, the civil government and the proteſtant religion were interwoven, and reciprocally pledged for the preſervation of each other. Next to its own ſafety, it became the object of the ſtate to cheriſh and defend the proteſtant religion. Hence, by the purport of numberleſs ſtatutes, any ſhare or participation of government was irreconcilable with the profeſſion of the Roman catholic religion, and conſidered in the ſame light as treaſon againſt the ſtate. Is it conſiſtent with the authority of theſe ſtatutes to imagine, that a diſqualification, ſpecified and fixed with reſpect to every inferior office of magiſtracy, ſhould be tolerated in the ſupreme magiſtrate? Nay, would not this have fruſtrated the purpoſe and tendency of all the laws deviſed for excluding Roman catholics from any ſhare of government? For, what was the purpoſe of theſe laws, but to prevent

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prevent the revival of a reprobated religion, which was moſt likely to happen, if it was profeſſed by thoſe perſons whoſe influence and example muſt be ſtrengthened, by the authority and patronage of office? But for what purpoſe bind the weak, and leave the ſtrong man looſe, uncontrolled, and unawed? Did not the prince, in proportion as he was exalted above all inferior officers and magiſtrates, enjoy a more extenſive and irreſiſtible power of contaminating, and ſubverting that religion, which was incorporated with the government itſelf? If the legiſlature was ſilent upon this ſubject, was it not more rational, to impute this ſilence to a delicacy, which abſtained even from imagining ſuch inconſiſtency and enormity in the character of the ſupreme magiſtrate, than to ſuppoſe that it ſhould be ſo much at variance with itſelf, as, by one ſtroke, to counteract the effects of all its labours and precautions, while it permitted him to profeſs a religion incompatible with the conſtitution and government of the country? Such ſeem to have been the views of the convention, when it found that it was not conſiſtent with the conſtitution to be governed by a popiſh prince. This was no more than the declaration of a fact already notorious, rooted in the principles of the conſtitution, and fortified by innumerable ſtatutes and precedents.

If this ſtrain of reaſoning be admitted as juſt and ſolid, it evidently follows, that the throne, upon the converſion of James to the Roman catholic religion, became open to the next proteſtant heir. It devolved, without any interpoſition of the legiſlature, and of right, upon the princeſs of Orange. If ſhe had been willing to accept it, according to the ſtrict principles of hereditary monarchy, the convention would have nothing to do, and their diſpoſal of it againſt her inclinations would have been

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been a breach of order, and an infringement of the conſtitution. But the princeſs of Orange expreſsly declined the ſucceſſion; the princeſs Anne, next in the hereditary line, alſo declined it. Both of them expreſſed their conſent to devolve their right upon the prince of Orange. The convention did no more than confirm this transfer in name of their conſtituents.

It may be aſſerted, that, in ſtrict conformity to theſe maxims of the conſtitution, the infant prince ought to have been named firſt to fill the vacant throne. I do not object to this upon the ſuppoſititious birth of the prince, becauſe I do not think that the objection is ſupported by evidence; but I object to it upon the ſcore of impoſſibility: I ſay impoſſibility, holding in view the principal object of the meeting of the convention; namely, the preſervation of the proteſtant religion, and the ſettlement of the nation. It was abſolutely impoſſible that theſe ends could have been obtained, by keeping the throne open for an infant prince, carried into a foreign kingdom, and under the tutelage of a father, who had ſacrificed all to the intereſt of the Roman catholic religion. The convention, it ſhould ſeem, was aware of theſe conſequences, and with great propriety and wiſdom declined to examine the evidences of the birth of the prince of Wales.

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Obſervations upon the political State of Scotland.—Circumſtances favourable to Liberty in England.—Adverſe to it in Scotland.—Loyalty of the Scots,—precarious, and little availing to the Prince.—Attachment of the Scots to the Preſbyterian Form of Religion,—the cauſe of their Oppoſition to the Houſe of Stuart—productive of Events favourable to the Revolution.—Imprudent Government of James in Scotland.—Progreſs of the Revolution there.—The Scotch Nobility in London addreſs the Prince of Orange to aſſume the Government, and call a Convention.—The Preſbyterians moſt ſucceſsful in the Elections.—The Convention meets.—Cautious Meaſures of the Convention.—The Duke of Gordon holds the Caſtle of Edinburgh for James.—The Friends of James reſolve to call a Meeting of the Convention at Stirling.—Dundee flies from Edinburgh.—His Friends deſert the Convention.—The Convention addreſſes William.—Subjects of Deliberation in the Convention—Reſolutions.—Settlement of the Crown on William and Mary.

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IT has been generally ſuppoſed, that James was induced to quit the helm of government in England with the greater precipitancy, from the hope of the reſources of power which awaited him in Ireland and Scotland; and particularly from the entire confidence he repoſed in the loyalty of the Scots, and their readineſs to ſupport his future efforts for the recovery of his throne. There were, however, various circumſtances in the ſituation of Scotland, and peculiar features in the character of the people there, which would have rendered a diſcerning and cautious politician diſtruſtful of any

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event, ſuſpended upon their inclinations or fidelity. A few previous obſervations on this ſubject, it is hoped, will prove acceptable to the reader; becauſe, while they explain the cauſes of the unexpected facility and expedition with which Scotland concurred in the meaſures already recited, they ſerve at the ſame time to exhibit a true and inſtructive deſcription of the political ſtate of that kingdom.

Obſervations upon the political ſtate of Scotland.

If we compare the laws and conſtitution of Scotland previous to the union of the crowns, with thoſe of England at the ſame period, it will be found, that, though in many inſtances a preference may be due to the latter, yet the fundamental principles of the former are not leſs favourable to the intereſt of the ſubject[1]. But there prevailed not,

Circumſtances favourable to liberty in England.

among

[1] The States of Scotland were intitled to claim the following prerogatives, upon the authority both of ſtatutes and precedents: 1. A power to reſiſt the ſovereign, if he invaded the conſtitution. See Statutes, parl. 6th, James II. ch. xxv. in the black acts printed by Lekprivick. 2. The king anciently had no negative voice in parliament, while the ſtatutes often reſtrained him in matters of government. 3. The Scotch parliament often appointed the times of their meeting and adjournment, and committees to ſuperintend the adminiſtration, during the intervals of their meeting. 4. The king could not make peace or war without their conſent: The people were armed by their authority: Commanders, and even the guards who attended the perſon of the king, were ſometimes appointed by them: They not only raiſed money, but in ſome inſtances appropriated it: They ordered the coining of money, and regulated the ſtandard of it. 5. The lords of parliament ſettled all the fees of the officers of juſtice, and of the courts of judicature, and even of the officers of the king's houſe. Faulty judges were not to be reſtored without conſent of parliament. See Ancient Rights and Power of the Parliament of Scotland, printed 1703. It is not affirmed that theſe powers were regularly exerciſed by the States, or that they were admitted by the kings of Scotland; but that examples and ſtatutes to this purpoſe are found in the early part of the Scotch hiſtory; that ſometimes the king complained that theſe were uſurpations by the ariſtocracy; and ſometimes they were ſanctioned by

among the people of Scotland, that high ſenſe of the value of liberty, which rendered the Engliſh ſo jealous of its infringement, and ſo vigilant to ſeize every incident and opportunity which might ſerve to extend or ſecure it. The love of liberty is nouriſhed by the civilization and habits of a nation, more than by the genius and tendency of its government. The ideas of the Engliſh, more liberal than their conſtitution, contributed ſtill farther to embelliſh and improve it. The ſentiments of the Scots, more narrow and abject, retarded the progreſs, and cramped the expanſion of freedom. This diverſity of ſentiment and character, which cannot be reſolved into the effects of laws and government, muſt be traced to other incidental circumſtances, no leſs powerful in forming the tempers of individuals and communities. CHAP. X.

After the union of the families of York and Lancaſter, a variety of cauſes co-operated in England to remove thoſe obſtacles which prevented the great body of the people from riſing to a ſtate of independence; and to promote a

by his approbation. The obvious inference from what I have quoted is this: That, if the Scots had been inſpired with a true taſte for freedom, their conſtitution and their hiſtory furniſhed them with abundance of facts and precedents, for reſiſting the arbitrary government of their princes.

The union of the crowns of England and Scotland gave a terrible blow to the liberties of the latter. Their prince now acquired a dignity and influence which quite overawed the haughty ſpirit of the ariſtocracy; while an inexhauſtible ſource of favours was opened, out of which he could reward the loyal and obedient. Every ſhadow of the former privileges of the States, it was the object of James I. Charles II. and James II. to extirpate: To all which it may be added, that delegated power is generally more inſolent and oppreſſive, than that which is exerciſed by the perſon to whom it immediately belongs. See note 1ſt, chap. iv. See, upon this ſubject, Buchanan de Jure Regum apud Scotos.

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more rapid circulation, and a more equal diviſion of property. By the ſtatute of Henry the ſeventh, the barons were enabled to break entails, and to alienate their eſtates. The extenſion of commerce introduced articles of foreign luxury, and conſumed a part of thoſe overgrown incomes, which had formerly been employed in the maintenance of a numerous body of indolent retainers, who rendered their proprietors more oppreſſive to the inferior ranks of mankind, and more formidable to each other.

The progreſs of liberty and arts was ſtill farther accelerated in England, by an acceſſion of induſtrious and enlightened foreigners. Multitudes of the inhabitants of the low countries, haraſſed by oppreſſive taxation, and by perſecution for the ſake of religion, choſe England for the place of their refuge and future abode; allured by its climate, favourable to agriculture; and its coaſts, which abounded in harbours, convenient for navigation and trade. Theſe foreigners not only communicated more enlarged notions concerning liberty, but the arts which they introduced, gradually ſubverted thoſe ideas and habits of the great, which continually ſtand in oppoſition to its progreſs in rude and uncivilized countries. The accumulation of fortune, accruing to the proprietor from the cultivation of his eſtate, obviouſly ſuggeſted the connection between his own intereſt and the independence of the farmer. The progreſs of manufactures increaſed the number and wealth of the inhabitants of the cities, and ſtimulated their induſtry by the proſperity with which it was crowned. Thus, in England, while men were more upon a footing of equality, independence and opulence were not confined to perſons of high birth or office; the protection of the laws and the diſpenſation of juſtice were claimed,

claimed, with the ſame confidence, by every rank and profeſſion. The increaſe of commerce and manufactures, and the improvement of agriculture, opened plans of peaceable occupation, and the proſpect of profit and advancement, to men of activity and enterpriſe, independent on the favour of the ſovereign. Hence many families aſcended to wealth, and maintained ſocial intercourſe with each other, free from jealouſy or rivalſhip. The ſecurity of property, and the equal diſpenſation of juſtice, contributed to their common intereſt: Theſe became the great objects of government; which, therefore, they regarded as the baſis and ſafeguard of their proſperity; and were ready with one heart and hand to defend it, if in danger, and to improve and fortify it when opportunity offered.

Adverſe to it in Scotland.

In Scotland, different cauſes produced different effects; and occaſioned a wider chaſm between the political ſentiments of the two nations, than what ſubſiſted between the civil conſtitution and ſyſtem of laws belonging to each of them. It was late before agriculture, as a ſcience, was introduced into Scotland; and before the inhabitants attained to thoſe improvements, which tend, in ſome degree, to guard againſt the natural diſadvantages of climate, and to fertilize a barren ſoil. Their commerce was extremely reſtricted: and inſtead of money, which, by its eaſy conveyance, finds a rapid and general circulation, and awakens the induſtry and exertions of every claſs of men, it only brought home returns of foreign commodities, to feed the luxury and uphold the pomp of opulent chieftains. Hence the people continued idle, indigent, depreſſed. Multitudes depended entirely, for a ſcanty ſubſiſtence, upon the capricious bounty of the proprietors on whoſe eſtates they firſt drew their

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their breath, and to whom they had been inured, by the earlieſt prejudices of education and example, to devote themſelves with the moſt ſervile homage. After the period of the reformation of Scotland, the people were appriſed of their right, to think and judge freely concerning matters of religion; and though it might have been expected, that ſuch enlargement would have conducted them to more liberal ſentiments with reſpect to politics and civil government, yet the effects of this connexion were but little apparent; and, provided that they were indulged in the religion of their choice, they ſeemed not to have been diſpoſed to murmur or complain, on account of reſtrictions laid upon their civil liberty. Nor were the prejudices and manners of perſons of diſtinction more propitious to the introduction and improvement of order and liberty. Their treatment of their dependants at home, domineering, inſolent, oppreſſive, familiariſed to their mind the idea of tyrannical government. In conſequence of the ſcarcity of money, increaſe of property only produced an increaſe of thoſe rude commodities, which enabled them to maintain a greater number of vaſſals, rendering them more oppreſſive to their neighbours, and more dangerous to the ſtate. All their pride centered in the antiquity of their families, and was gratified by the number and pomp of their attendants. Thus there was no unity among the perſons who were called upon, by their ſtations, to be guardians of the conſtitution; no ſenſe of a public or common intereſt; no concert to reſiſt enchroachments upon liberty, if their own perſonal fortune and dignity were not immediately affected. The royal family they held in great reſpect, on account of their pre-eminence in rank, which extinguiſhed every idea of rivalſhip or competition.

Loyalty of the Scots,

From

From theſe circumſtances, it was natural for James to draw concluſions favourable to his intereſt; that the people of Scotland would neither be ſo deeply offended with his arbitrary proceedings, nor allured by any ſyſtematic plan held forth by their fellow-ſubjects in England, for enlarging their privileges, or amending the conſtitution.

precarious and little availing to the prince.

There were, however, other effects ariſing from the cauſes already deſcribed, which rendered the allegiance of the Scots to their king extremely precarious, and, at the moſt, capable of affording him but partial and feeble ſuccours, upon the emergency of a civil war, or the defection of his Engliſh ſubjects. The turbulence of their ſpirit, and the rudeneſs of their manners, rendered men of property and influence impatient under the control of regular government, and exceedingly forward to take a part in any commotion which agitated the ſtate. Neighbouring chieftains ſucceeded to hereditary feuds, which they often proſecuted by incurſions into the eſtates, and violent aſſaults upon the perſons, of their rivals. Their quarrels, at an early period, required the interpoſition of the royal power, which, of conſequence, became obnoxious to the hatred of the perſon againſt whom it had been exerciſed, and ſometimes excited the jealouſy of both the contending parties. The entire, undivided ſtrength of the leading men in the nation never could be collected or depended upon. They had a ſtrong propenſity to loyalty; but envy of the ſuperior intereſt of a rival, with their ſovereign, or the proſpect of ſupplanting him, often interrupted the exerciſe of that affection, and diſappointed the court of the ſupport it might have expected from individuals, correſponding with the favours they had received,

and

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and the profeſſions of loyalty they warmly avowed. The truth of theſe obſervations is fully confirmed by the conduct of individuals in Scotland at the revolution.

Attachment of the Scots to the preſbyterian form of religion,

The ſtate of religion in Scotland concurred with the cauſes already mentioned, to propagate diſcordant affections and divided intereſts, and to prevent a poſſibility of uniting the whole force of the nation, upon the concurrence of any extraordinary political commotion. As the opinions, inſtilled into the mind of the individual in tender years, maintain an aſcendency over his ſentiments through the ſucceeding ſtages of life; ſo the ſyſtem of religion embraced by a community upon its firſt formation, or immediately after any ſignal revolution, deſcend to the remote ages of poſterity, in defiance of external means employed to eradicate or change it. The Scotch nation, prepared by extremity of oppreſſion to revolt from the ſee of Rome, received the elements of reformation, and the model of their eccleſiaſtical government, from teachers who had been educated in the ſchool of Calvin. Diſguſted with the frivoloufneſs and multiplicity of external ceremonies preſcribed by the popiſh ritual, they rejected with horror even thoſe leſs exceptionable forms of worſhip, which are calculated, through the medium of the ſenſes, to excite impreſſions of reverence and awe, ſuitable to the ſolemn nature of religious ſervice. Filled with indignation at that ſubjection which the blind ſuperſtition of their fathers had yielded to the papal dominion, they became jealous of any juriſdiction which was not contained within the precincts of their eccleſiaſtical corporation, or which was independent on the ſubordinate members of their congregations.

From

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the cauſe of their oppoſition to the princes of the houſe of Stuart.

From theſe ſtrong prepoſſeſſions of the reformed in this country, ſprang all thoſe commotions which diſturbed the civil government in the three preceding reigns. It was not till after James the firſt had obtained the crown of England, and acquired the ſupport of a more powerful body of ſubjects, that he dared to proſecute his favourite plan of eſtabliſhing epiſcopacy in Scotland; and the form of it, then introduced, was moderate and humble, and, in reality, more nearly allied to preſbytery, than it was to the worſhip and government of the church of England [2]. Extempore prayers, agreeable to the practice of the preſbyterians, were ſtill continued: the Lord's Prayer was repeated at the end of the ſervice, and, together with it, the Doxology and the Creed upon the adminiſtration of baptiſm. The ſign of the croſs upon that occaſion was uſed or not, according to the inclination of the parents, who alone could be admitted as ſponſors for their children: what gave great offence to the people was, the ceremony of kneeling was required at the receiving of the Lord's Supper [3]. The holidays were few, in compariſon with thoſe obſerved in the church of England: the endowments of the biſhops were not ſo liberal as to raiſe them to an immoderate elevation above the parochial clergy, and the prerogatives with which they were inveſted, aroſe chiefly

[2] Calderwood. Burnet.

[3] Vindication of the Government of Scotland, by ſir George M'Kenzie. Skinner's Eccleſiaſtical Hiſtory, vol. ii. chap. 43-4. The account I have given of the form of baptiſm being left to the choice of the parent, I have heard from perſons who have been preſent when baptiſm was performed by a clergyman who profeſſed to obſerve the old epiſcopal form, and who had been turned out of his living at the revolution. The alternative of uſing the croſs or not, might perhaps be ſuggeſted by the moderation of the individual on thoſe occaſions.

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chiefly from their precedency in rank, and their acting as perpetual presidents or moderators in the ecclesiastical courts convened within their dioceses [4]. When Charles I., prompted by weak bigotry and the furious zeal of his unworthy favourite, archbishop Laud, attempted to introduce a liturgy into the episcopal church of Scotland, he not only provoked the violent resistance of the mob; but lost the affections of many of his subjects, of the first rank, and most liberal education, in that part of the dominions [5]. And hence his disaffected subjects in England were encouraged to proceed, from altercation and contests, to armed violence; which terminated in the ruin of that prince, and the destruction of the established government. The aversion of the Scots to the usurpation of Cromwell, was in a great degree mitigated by religious toleration, which was the favourite maxim of his government; and if the covenanters did not obtain an exclusive indulgence, agreeable to the expectations excited by their important services and early connexion with the parliament of England, their resentment spent itself in vain murmurs and threats, while they were not molested in the profession of those doctrines, and the exercise of that worship, which they believed to be prescribed by the oracles of divine truth [6]. The fatal consequences of the father's bigotry did not curb the temerity of his son. A mean resentment of affronts he had received from the presbyterian clergy [7], at a period when he had thrown himself

[4] Burnet. Robertson's History of Scotland, vol. ii. p. 119. Spottifwood, p. 502.
[5] Clarendon's History. Hume.
[6] Burnet.
[7] Hume.

upon

upon their protection, co-operating with miſtaken apprehenſions concerning the political advantages of uniformity, determined him, againſt the advice of Lauderdale, his principal counſellor, to ſuppreſs the favourite religion of Scotland [8]. Epiſcopacy, in a form more extended and unpopular, was eſtabliſhed by the ſtatute. The juriſdiction of the biſhops was no longer controlled by the opinions and votes of the preſbyters: they were required indeed to adviſe with the inferior clergy, upon the management of eccleſiaſtical affairs; but this apparent reſtriction, inſtead of diminiſhing, extended their authority, becauſe it was left to their own choice to ſelect from among them, ſuch perſons as they knew to be moſt inclined to flatter their opinions and ſupport their meaſures [9]. The imprudence, the violence, and immoral characters of individuals, whom Charles II. inveſted with the mitre, revived the ancient prejudices of the common people of Scotland againſt their order; and excited the moſt obſtinate reſiſtance to the edicts of the court [10]. The rigorous ſeverities, employed to enforce the laws againſt nonconformiſts, were recorded in the memories of their friends, with vindictive reſolutions, and infuſed a horror at government into the minds of many who had been nurſed in the principles of loyalty. A detail of theſe perſecutions, though it might found the charge of weakneſs and obſtinacy againſt ſome of the perſons who ſuffered by them, would exhibit the moſt cruel ſcenes which blacken the page of hiſtory [11]. The day of reckoning at laſt approach-

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[8] Burnet.
[9] Woodrow's Hiſtory, vol. i. p. 116. Burnet.
[10] Woodrow. Burnet.
[11] Ibid.

ed.

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Productive of events favourable to the revolution.

ed. Many who fled from their native country, carried along with them unrelenting hatred to the government which had oppreſſed them. Some of them who took ſhelter in Holland, entered into concert there, with the Engliſh gentlemen who planned the revolution, and, by a conſtant correſpondence with their friends in Scotland, foſtered their diſaffection, and encouraged their expectations of deliverance [12]. After James aſcended the throne, he endeavoured, under the fair pretext of toleration, to inveigle the preſbyterians, to give their countenance to meaſures ſubſervient to the intereſts of his Roman catholic friends. He became the dupe of his own craftineſs; and ſtrengthened the hands which ſhook his throne in Scotland. The epiſcopals, offended with the liberty granted to the preſbyterians, began to abate that ardour of loyalty, of which they had hitherto boaſted; while the ſincere affections of the preſbyterians were not gained [13]. Both of them penetrated into the inſidious ſcheme: but the preſbyterians alone were forward and active in concurring with the revolution in England. The toleration held out to them brought home a great number of that perſuaſion, who had fled to Holland and the diſtant colonies of England, during the perſecutions of the preceding reign. Far from being lulled into ſecurity by the fair profeſſions of James, they devoted themſelves, with unwearied induſtry, to renew and extend their connexions in Scotland; and to form ſuch plans as might enable them to obtain a ſuperiority over their antagoniſts of the epiſcopal church, in caſe of any national convul-

[12] Life of Carſtares.

[13] The caſe of the church of Scotland. Somers' Collection, vol. xii. p. 490. Guthrie, vol. x.

ſion,

ſion, ſo likely to enſue from the infatuated violence of the king. The news of the arrival of the prince of Orange inſpired the preſbyterians with tranſports of joy; and tempted them to retaliate upon the epiſcopals thoſe injuries, of which they themſelves had juſtly complained [14]. In the weſtern parts of Scotland they attacked the perſons of the eſtabliſhed clergy with outrageous violence; they dragged them from their pulpits; carried them about in mock proceſſions; and finiſhed their inſults, by tearing their gowns, the harmleſs but hated badges of their order [15]. In ſome of the towns the Roman chapels and epiſcopal churches were ſubjected to the ſame promiſcuous ravage. Thoſe of the nobility and gentry, who had diſtinguiſhed themſelves as the patrons of the preſent eſtabliſhment, were every where expoſed to aſſault and danger.

Imprudent government of James in Scotland.

The conduct of James, not only with reſpect to the meaſures he adopted, but alſo with reſpect to the perſons he made choice of to carry them into execution, was the occaſion of juſt offence to his ſubjects in Scotland. The perſons he ſelected to be the inſtruments of his moſt unpopular meaſures, poſſeſſed not that ſhare of prudence nor experience in buſineſs, which might have contributed to repreſs or to moderate the reſentments which thoſe meaſures excited. The moſt lucrative offices were conferred upon men who were ſecretly unaffected to the king's perſon; and who were warranted by him, to draw profits out of the pockets of his beſt friends, by exactions of a new form, and of the moſt oppreſſive tendency. As if his projects of bigotry had not been ſuffici-

[14] Cunningham, vol. i. Burnet.

[15] The caſe of the epiſcopal clergy in Scotland. Somers' Collection, vol. xv. State Tracts, vol. iii.

ently

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ently odious in themſelves, they were rendered ſtill more deteſtable, by being made ſubſervient to the emoluments of rapacious miniſters. The king had made a public declaration of his diſpenſing power in Scotland, by ordering all thoſe perſons who held offices, civil or military, to make a reſignation of their commiſſions, which had been expreſſed in the common form, and under the condition of their ſubmitting to the teſts; and by authoriſing them, at the ſame time, to receive new commiſſions free from theſe obligations [16]. Many of the king's loyal ſubjects were, in this manner, not only ſubjected to an unjuſt repetition of the clerks fees for the renewal of their commiſſions, but filled with uneaſy apprehenſions, leſt they ſhould be expoſed to ſevere penalties, by holding them in contradiction to the law. A more arbitrary, oppreſſive, and ungrateful meaſure of policy was exerciſed againſt others, who held their offices, by virtue of the king's warrant to diſpenſe with the teſts. They had gratified him, by a compliance which recogniſed his diſpenſing power, and the judges had unanimouſly given it as their opinion, that the royal warrant was a ſufficient protection againſt any proſecution for damages; and yet theſe very perſons were compelled, by a proclamation, to take out remiſſions of the penalties which they had incurred, in obedience to the king's command, and to pay for them three pounds to the ſecretary of ſtate, and twenty pounds to one James Stuart, who was empowered to proſecute them, if they did not comply with this proclamation, within the ſpace of two

[16] Account of the Affairs of Scotland, by the earl of Balcarras. Somers' Collection, vol. i.

months.

months. It was to the laſt degree mortifying to the king's friends, to obſerve that the perſon whom he employed as the inſtrument of oppreſſing them, had himſelf received a pardon for plotting againſt the government; and it was even ſuſpected, that he made uſe of the confidence now repoſed in him, to cover the perpetration of the ſame crime [17]. Such perverſe and infatuated generoſity, founded in oppreſſion and ingratitude, eſtranged the hearts and the confidence of the friends of James, and converted few of his enemies. The adherents of the prince of Orange in Holland and in London, encouraged by the diſcontents in Scotland, communicated their deſigns to ſome of the leading men of that country. Many of the noblemen and gentlemen from Scotland, were admitted to private conſultation with prince George of Denmark, and were aſſured by him, that the ſucceſs of the prince of Orange was deſired by the neareſt relations of king James; and that, by contributing to it, they purſued the ſureſt road to preferment. When all theſe conſiderations are attended to, we are not ſurpriſed to find, that, notwithſtanding the ancient loyalty of Scotland, the abettors of the revolution in that country were ſo many; and that they kept pace with England in the ardour and ſucceſs of their ſervices.

Progreſs of the revolution in Scotland.

After the arrival of the prince of Orange, a conſiderable number of Scotch lords and gentlemen, who had reſorted to London in conſequence of the national diſtractions, aſſembled with great alacrity, at the deſire of the prince of Orange, and exactly copied the proceedings of the Engliſh

[17] Account of the Affairs of Scotland, by the earl of Balcarras. Somers' Collection, vol i.

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lords. They preſented a petition to the prince, praying him to take upon him the management of public affairs, and to call a convention of the States, to adviſe about the final ſettlement of their government [18]. The prince, in return for this addreſs, thanked them for the confidence repoſed in him, and appointed a convention of the States of Scotland to meet at Edinburgh upon the fourteenth of March one thouſand ſix hundred and eighty-nine.

The Scots nobility in London addreſs the prince of Orange, to aſſume the government, and to call a convention, 14th Jan.

The ſtability of the new government in England evidently depended, in a great meaſure, upon the temper and reſolutions of the Scotch convention. The vicinity and warlike diſpoſition of the Scots enabled them to diſturb the peace of England as often as they were inclined to do it; but ſhould they now thwart the meaſures adopted by the convention there, and recogniſe the ſovereignty of James, there was the ſtrongeſt reaſon to fear, that many of the Engliſh, who wavered in their affections, or who acted under the recent impreſſion of injuries, would return to their firſt allegiance, and again unſettle the nation. Every precaution therefore was uſed by the prince of Orange, to obtain a choice of members in the convention of Scotland favourable to his intereſt. The expreſſion of the ſummons was ſo guarded, as to exclude none but Roman catholics.

The preſbyterians moſt ſucceſsful in the elections.

The preſbyterians, ſtimulated by reſentment, were alſo encouraged, by the aſſurance of the prince's protection, to exert their influence to get their friends to be elected members of the convention. The epiſcopals, depreſſed with the fear of loſing their eſtabliſhment by the projected revolution of government, contended, with unequal

[18] This petition was ſubſcribed by thirty lords and eighty gentlemen.

ſpirit

ſpirit and activity, for a ſhare of the repreſentation [19]. Their intereſt lay, in preventing, if it had been poſſible, inſtead of promoting, a meeting to be aſſembled for the purpoſe of a revolution. Some of them objected to the lawfulneſs of obeying a ſummons from the prince of Orange, which implied a recognition of his authority. Inſtructions were ſecretly imparted to the friends of James, ſignifying his deſire, that they might wave theſe ſcruples, and endeavour to obtain ſuch a ſuperiority in the convention, as would enable them to carry every vote, in oppoſition to the intereſt of the new court. But theſe inſtructions arriving too late, and neceſſarily publiſhed with reſerve, which left their authority doubtful, the elections had been conducted with an advantage on the ſide of the whigs, which could not be retrieved by the adverſe party. A decided majority, returned agreeably to their wiſhes, ſtill farther improved their ſtrength, and reduced the tories to a ſcanty minority, by the partiality of deciſions upon the preliminary queſtions of controverted elections.

The convention meets. 14th March.

The duke of Hamilton was elected preſident of the convention, in preference to the marquis of Athol, by a majority of forty votes out of one hundred and fifty. This dignity was ſuppoſed to be the only effectual ſecurity for the perſeverance of the former, in the principles and connexions he profeſſed to eſpouſe, after the arrival of the prince; while it was expected, that political prudence, and a regard to conſiſtency of character, would reſtrain the latter from entering into any concert with the partiſans of James. The ſucceſs of the duke of Hamilton, was underſtood to

[19] Ralph. Tindal.

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be ſuch a certain prognoſtic of the triumph of the whigs, in every ſucceeding queſtion, that ſome of the members, who had reſorted to the meeting in a wavering diſpoſition, thought it prudent to enliſt with the ſtronger party; and others, who neither choſe to renounce their principles, nor adhere to them in the face of danger, withdrew into the country. The convention, however well-diſpoſed to promote the views of the prince of Orange, had ſtill many difficulties and dangers to encounter. The duke of Gordon, a Roman catholic, held the caſtle of Edinburgh in the name of king James. The viſcount of Dundee, brave, enterpriſing, beloved by the army, a violent enemy to the preſbyterians, warmly attached to the intereſt of James, attended the convention, and animated and encouraged the hopes and efforts of his friends. The earl of Marr, governor of Stirling Caſtle, had engaged on the ſame ſide. The marquis of Athol, powerful by his influence among the Highlanders, and diſappointed in his competition for the precedency in the convention, was alienated from the prince of Orange, and had ſecretly entered into engagements with Dundee, to hold Scotland in the intereſt of king James. Lord Balcarras, reſpectable for his abilities and fidelity, was a firm friend to the abſent king.

Cautious meaſures of the convention.

The leading members of the convention, attentive to theſe circumſtances, and not daring to confide entirely in a ſuperior number of votes, turned their firſt attention towards the neceſſary precautions for ſecuring their own perſonal ſafety. A proclamation was iſſued, ordering all perſons, from ſixteen to ſixty, to hold themſelves in readineſs to take up arms. Eight hundred men, who had been raiſed for a guard to the city of Edinburgh, were put under the command of the earl

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earl of Leven, and ſir Patrick Home was placed at the head of the militia. Both theſe commanders had formed a ſtrict connexion with the prince of Orange in Holland, and returned to Scotland to promote his intereſt. A great number of the vaſſals of the duke of Hamilton, and of other noblemen upon the ſide of the court, were brought to Edinburgh, furniſhed with arms, and diſperſed in different places of the city. Four regiments of foot, and one of dragoons, ſent down from England under the command of general Mackay, were quartered in the neighbourhood of Leith, and Edinburgh, and entirely ſecured the convention from the apprehenſion of violence. The duke of Gordon was repeatedly required to ſurrender the caſtle of Edinburgh to the convention, and though he did not comply, yet, as he had formerly been ill uſed by James [20], and entered into a treaty about the terms of making a ſurrender, he did not impart that confidence which the friends of James would have derived from any other perſon, in their intereſt, who poſſeſſed ſuch powerful means of protecting them, and of annoying their enemies [21].

The duke of Gordon holds the caſtle of Edinburgh for James.

In this ſtate of uncertainty, as to retaining the advantage of external force, and unable to maintain an equal conteſt in the convention, the partiſans of James reſolved to avail themſelves of a commiſſion under his hand, by which the archbiſhop of Glaſgow, the viſcount of Dundee, and lord Balcarras, were authoriſed to ſummon a convention of the States to meet at Stirling. The friends of James, in compliance with this deſign, were ſecretly adviſed to depart from Edinburgh at an appointed hour, leſt they ſhould be

The friends of James reſolve to call a meeting of the convention at Stirling.

[20] Guthrie's Hiſtory, vol. x.
[21] Memoirs of Lord Viſcount Dundee.

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prevented, by the ſuperior force of the other party, from complying with the purpoſe of this commiſſion. The marquis of Athol, after having approved of this meaſure, alarmed the ſuſpicion of his friends, by propoſing to poſtpone the time of their leaving Edinburgh. Dundee received information of a party having conſpired to aſſaſſinate him; and though he gave notice of this to the convention and offered ſtrong circumſtances of proof [22], with a partiality approaching to a participation of guilt, they refuſed to inſtitute any inquiry againſt the contrivers of this barbarous deſign. Alarmed by the fluctuation and apoſtacy of his friends, the injuſtice of the convention, and the immediate danger to which he was expoſed, Dundee, without entering into any farther conſultation with the lords, who ſtill profeſſed an attachment to James, fled from Edinburgh, attended with a ſmall body of horſe [23]. His retreat furniſhed the majority of the convention with a pretext for ſuch meaſures, as nearly annihilated any oppoſition to their deſigns. The preſident threatened to apprehend all thoſe members of the convention who ſhould be found in concert with Dundee: the earl of Marr, governor of Stirling caſtle, was put under an arreſt; and diſappointed the friends of James of the proſpect of any refuge in that fortreſs.

Dundee flies from Edinburgh.

His friends deſert the convention.

It ſeems to have been the purpoſe of the majority in the convention, to drive away the friends of James, rather than to proceed to open hoſtilities againſt them. Their preſence would have embarraſſed and retarded the meaſures neceſſary for accompliſhing a ſpeedy ſettlement of the nation. The unanimity of the convention, if that

[22] Memoirs of Lord Viſcount Dundee.
[23] Ibid.

could

could be obtained, was a desirable object to William, and more likely to give success and stability to their resolutions. But unanimity, procured by the imprisonment or expulsion of all opponents, instead of answering these ends, would probably have roused the immediate resentment of their vassals in the country, and brought on a civil war in Scotland. An opportunity of withdrawing themselves was artfully afforded to the partisans of Dundee, by the president having adjourned the meeting of the convention, after he had threatened them with imprisonment. They embraced it without delay; and the next day, when a summons was issued for them to attend their duty in the convention, few of them remained in town.

The convention address William.

The convention was now released from every obstruction which could either retard the expedition, or mar the unanimity of their measures. They drew up a respectful answer to a letter they had received from the king of England: They approved of the address presented to him by their countrymen in London; in consequence of which he had assumed the government of Scotland, and summoned a convention of the States. They permitted a letter from king James to be read, after having entered a protestation, that nothing contained in it should tend to annul the proceedings of the convention. In order to shew their contempt of his authority, the messenger who delivered his letter was first imprisoned, and afterwards dismissed without any answer.

Subjects of deliberation in the convention.

The settlement of the government, and an union with England, were the important subjects recommended by the prince to the deliberation of the convention. When we consider the variety, difficulty, and importance, of the questions, involved in the plan for uniting the two kingdoms, we are rather surprised that the friends of

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of William ſhould have ſuggeſted a meaſure, which, inſtead of confirming his power, might have been attended with unavoidable procraſtination, and have given occaſion to diſputes and animoſities, fatal to the authority he had already acquired. The few friends of James left in the convention, not ignorant of theſe conſequences, joined with ſome of the whigs, to prefer the queſtion of the union to that of the ſettlement of the government. The eyes of William's more diſcerning friends were now quickly opened. The queſtion of the union was not again reſumed, and the convention came to a reſolution of appointing a committee, conſiſting of eight members out of each ſtate, to prepare the new plan of ſettlement.

26th March.

Their reſolutions.

The example of the Engliſh convention abridged the deliberations and buſineſs of this committee. Their reſolutions they ſeem to have copied, as far as circumſtances would admit. They could not find, with propriety, that king James had abdicated the government in the ſame ſenſe that he had done in England, for he had not withdrawn perſonally from Scotland; but the ſubſtance of their reſolutions was the ſame. They found that king James had forfeited his right to the crown of Scotland. This reſolution was agreed to by the convention; who next ordered the committee to bring in an act, for ſettling the crown upon William and Mary, and to prepare an inſtrument of government, to be offered with the crown, for the redreſs of grievances, and the ſecurity of their liberties [24]. An act was accordingly

Settlement of the crown on William and Mary.

[24] The inſtrument which the Scotch convention preſented to the prince of Orange, along with the crown, recites multiplied inſtances of the miſgovernment of James; after which it ſpecifies what they claim as the ancient rights and liberties of their nation.

accordingly brought in, to this purpoſe, and approved of by a great majority of the convention. The earl of Argyle, ſir James Montgomery, and ſir John Dalrymple, were appointed as repreſentatives of the three eſtates of the lords, the knights, and the burgeſſes, to repair to London. to offer the crown to William. Upon the eleventh of April, William and Mary were proclaimed at Edinburgh, and the act of convention was read by the duke of Hamilton, their preſident.

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nation. Among theſe it is particularly expreſſed, by article 21ſt, "That prelacy, and ſuperiority of an office in the church "above preſbyters, is, and has been, a great and unſupportable burden to this nation, and contrary to the inclinations of "the generality of the people ever ſince the reformation; they "having reformed popery by preſbytery, and therefore ought to "be aboliſhed."—The reader is deſired to fix this in his memory, as important to throw light upon ſubſequent parts of the hiſtory of Scotland in this reign.

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CHAP. XI.

Appointment of Miniſters.---Obſervations.---The King's Speech in the Convention Parliament.—Reaſons for turning the Convention into a Parliament.---Bill paſſes for that Purpoſe.—Obſervations with reſpect to the Revenue.—Opinions concerning the King's Right to it.—Former Abuſes in the Management of the Revenue.—Reſolutions with reſpect to it —Vote of the Commons for indemnifying the States.—Oaths to Government.—Motions for altering them---For exempting Proteſtant Diſſenters from the Teſt —Unſucceſsful.—Indulgence, in favour of the Clergy—agreed to by the Lords—refuſed by the Commons.—Bill of Comprehenſion—favoured by the Lords—thwarted by the Commons.—Cauſes of the ill Succeſs of this Bill—Act of Toleration.—Bill of Indemnity.---The King anxious for it.---Different Plans of proceeding in this Bill.---The Whigs jealous of the King.---Obſtruct the Bill.---Act of Settlement.---Motion for naming the Ducheſs of Hanover in the Succeſſion.---Effects of this Motion.---Meaſures of Parliament adapted to extraordinary Events.—The Habeas Corpus ſuſpended.—The Mutiny Bill.---Supplies for Ireland.---View of the Regulations of the Revenue.---Severe Laws with reſpect to the Roman Catholics.—Oppreſſions inveſtigated--redreſſed —Reflections.—-Both Houſes enter into the King's Views of War with France.—Obſervations.—Miſunderſtanding between the King and the Whigs.—The Tories flatter the King with Promiſes of more generous Treatment.—Jealouſy of Miniſters among themſelves.—Engroſſing Spirit of the Whigs.—A Clauſe introduced into the Corporation Act, intended to exclude the Tories from Power.—paſſes.---The King embarraſſed---diſſolves the Parliament.

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THE choice of a miniſtry, the firſt act of William's ſovereign power, required great political diſcretion. It was not poſſible to find rewards, correſponding in number and value, to

to the many candidates for his favour; and the high price at which they eſtimated their ſervices. Diſappointment and complaint were unavoidable conſequences of the limited ſtore of honours and emoluments, to which even royal munificence was reſtricted. To moderate complaints, to prevent reſentful and dangerous diſappointments, was the only object he could hope to obtain, by the moſt extenſive diſtribution of favours; and by adjuſting them, in the moſt equitable proportion, to the merits of the perſons who were to ſhare them.

Appointment of miniſters.

A proclamation, publiſhed February the ſeventeenth, confirmed all proteſtants in the poſſeſſion of the offices which they held, till his majeſty's further pleaſure was known; and, upon the twenty-firſt, the liſt of privy-counſellors appeared in the gazette [1]. The treaſury, admiralty, and chancery were all put into commiſſion, in order to afford the king the means of diffuſing his bounty, and rewarding, as far as his power could reach, the ſervices conferred upon himſelf and the nation. The earl of Monmouth was placed at the head of the treaſury; admiral Herbert at the head of the admiralty: The commiſſioners of the great ſeal were, ſerjeant Maynard, ſir Anthony Keck, and ſir William Rawlinſon: The earls of Nottingham and Shrewſbury were appointed ſecretaries of ſtate: The privy-ſeal was committed to the marquis of Halifax: The marquis of Carmarthen was made preſident of the council: M. Bentinck was created a peer, and appointed

[1] The privy-council conſiſted of thirty-four members: Few of them were tories; of which deſcription the principal perſons were, Sancroft, archbiſhop of Canterbury, and the earl of Nottingham. M. Bentinck was the only foreigner in the liſt of privy-counſellors.

groom

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groom of the ſtole: Mr. Hampden was made a privy-counſellor, and one of the commiſſioners of the treaſury; and to him principally was intruſted the management of miniſterial buſineſs in the houſe of commons. The courts in Weſtminſter were afterwards filled, according to the recommendation of the privy council, with thoſe perſons, who had exhibited ſplendid profeſſional talents, in oppoſing the illegal ſentences and uſurpations of the preceding reign; and the nation rejoiced in the proſpect of a liberal interpretation of the laws, and a mild and equal adminiſtration of juſtice [a].

Obſervations.

Although the candidates for office at the commencement of this reign, have been commonly arranged under the two eſtabliſhed parties of Whig and Tory, yet in the liſt of offices we find the names of individuals, who cannot, with ſtrict propriety, come under either of theſe denominations. Such were the king's Dutch friends, with a few of the Engliſh, who had reſorted to him in Holland. In their political conduct, they were principally influenced by a perſonal attachment to the king, and ſupported thoſe meaſures which were agreeable to his inclinations, and favourable to his authority. Though Keppel, Bentinck, Zuliſtein, Avaurquerque, had not any property or hereditary intereſt among the Engliſh, yet the ſuperior confidence their maſter repoſed in them, could not fail to attract reſpect and attention from the members of both houſes; and to confer upon them a very conſiderable degree of influence, in the adminiſtration of national affairs. Theſe may be denominated the Dutch party, or the king's friends: They were firſt

[a] Burnet, &c.

connected

connected with the whigs, becauſe the balance of court favour firſt inclined to them; but they afterwards engaged in meaſures oppoſite to the ſyſtem and intereſt of that party, from a perſonal attachment to the king. CHAP. XI. 1689.

There were alſo, in the liſts of office, ſome perſons concerned in the moſt obnoxious meaſures of the two preceding reigns, who never had formed any connexion with the tories, or who had deſerted them, and contributed, by eſſential ſervices, to the accompliſhment of the revolution. The marquis of Carmarthen had eſcaped from impeachment in the reign of Charles the ſecond, by an interpoſition of the prerogative, which was conſidered as an aggravation of his guilt. The marquis of Halifax had become unpopular, from oppoſing the bill of excluſion; and was ſuſpected of giving advice to the king, to diſcontinue the uſe of parliaments. Both of them had correſponded with the prince of Orange; and the marquis of Halifax had the undiſputed merit of perſuading the lords to depart from their favourite ſcheme of the regency, which ſo long obſtructed the ſettlement of the nation. While the promotion of theſe noblemen was conſidered in an invidious light by the whigs, it was not approved of by the tories [3].

[3] It was not till after the diſſolution of the firſt parliament of William, that the marquis of Halifax connected himſelf with the tories. The whigs, deſirous to confound, with the rival faction, every perſon whoſe political conduct was unpopular in the preceding reigns, made unwearied attacks upon the marquis of Halifax, compelled him to retire from office, and afterwards to throw himſelf into the arms of their antagoniſts, though he had been the moſt ſucceſsful champion in oppoſing the regency, deſired by the tories, and in obtaining the ſettlement of the crown upon William, agreeably to the inclination of the whigs.

The

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The whigs held the greateſt proportion of offices in the new arrangements. The early commencement of their ſervices, and their zeal to accompliſh ſuch a ſettlement of affairs as coincided with the wiſhes of the prince of Orange, juſtly entitled them to a preference in the adminiſtration. The high promotion of the earl of Nottingham, who headed the tories, announced to the nation, that it was not the purpoſe of the king to proſcribe any party, or decline the ſervices of any individual, qualified for public truſt, and willing to acknowledge his authority. But ſuch an impartial diſtribution of offices, while it prevented more violent diſcontents, was at the ſame time productive of great political inconveniences. Perſons aſſociated in adminiſtration, and placed in reſponſible offices, being alienated from one another by former animoſities, and actuated by incompatible intereſts, entered not into any previous concert about meaſures of government; and often differed publicly in opinion, when theſe were brought under diſcuſſion. Hence aroſe procraſtination, inconſiſtency, and feebleneſs in the executive branches of government. A conciſe detail of the moſt important debates and reſolutions of the convention parliament, will convey to the reader the moſt authentic information concerning the views, the ſtruggles, and the ſucceſs of different parties; and the immediate effects produced by the revolution upon the revenue, laws, and conſtitution, of England [4].

The

[4] The convention parliament continued for two ſeſſions: Upon the 20th Auguſt, 1689, it was adjourned to the 20th September, and afterwards to the 19th October. It was then prorogued to the 30th, when it entered upon buſineſs, and continued, without interruption, to the 27th January 1690.

The

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The king, in his ſpeech from the throne, after thanking both houſes for the confidence repoſed in him, acquainted them, that the condition of his allies abroad, and particularly that of Holland, was ſuch, that, without ſome ſpeedy care, they would run great hazard: That the poſture of affairs in England required alſo their ſerious conſideration; and that a good ſettlement at home was neceſſary, not only for their own peace, but for the ſupport of the proteſtant intereſt: That the ſtate of Ireland was ſuch, that the dangers were grown too great to be obviated by ſlow methods: The moſt effectual ways to prevent theſe inconveniences, and to bring about theſe important ends, he left to them.

King's ſpeech in the convention parliament, 18th February.

Though the condition of the allies ſtood firſt in the king's ſpeech, yet a good ſettlement at home was recommended as the moſt effectual method, both to advance their intereſt, and to maintain peace in England; and therefore engaged the conſideration of both houſes, in preference to every other ſubject. By a ſettlement at home, his majeſty was underſtood to refer to the eſtabliſhment of a revenue, in order to enable him to defend his title to the throne, and to fulfil thoſe engagements to his allies, into which he had entered from motives of gratitude and public intereſt. This ſuggeſted the neceſſity of turning the convention into a parliament; the only conſtitutional method of ſupplying the demands of

Reaſons for turning the convention into a parliament.

The reader will pleaſe obſerve, that, in giving an account of the buſineſs tranſacted in this parliament, I have followed ſuch an arrangement as ſeemed moſt proper to convey diſtinct ideas of the ſubject. Such a period ſometimes intervened between the commencement and concluſion of the ſame bills, and different meaſures were ſo much coincident, and ſometimes interwoven, that it was impoſſible to obſerve the ſtrict chronological order without obſcurity.

the

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the crown. A bill for this purpoſe was introduced in the houſe of lords, read twice in one day, and ſent to the lower houſe [5]; where it was evident the ſpirit of party, as much as the force of argument, influenced the opinion of members.

It was aſſerted by thoſe who oppoſed this bill, that the king's writ of ſummons was eſſential to give exiſtence to a parliament; that the want of this qualification would expoſe all their future proceedings to be challenged as void and illegal; that the king himſelf could have no ſecurity for retaining the poſſeſſion of the crown, but by a confirmation of the ſettlement made by the convention, in a parliament, aſſembled with a ſtrict adherence to every form eſtabliſhed by law and cuſtom [6].

By thoſe who defended the bill it was argued, that, conſidering how far the convention had departed from common forms, in order to bring the public buſineſs, and the ſettlement of the nation, to the point at which they ſtood, the ſcruples now pretended appeared frivolous and unſeaſonable, and certainly did not proceed from any cordial favour to the new government. If neceſſity was an apology for the irregularities to which they had already yielded, the ſame neceſſity ſtill exiſted. The interruption of public buſineſs till the meeting of a new parliament, by affording a favourable opportunity for renewing intrigues and exciting animoſities, might undo all thoſe meaſures, in the accompliſhing of which, ſo much labour and time had been ſpent. The ardour of the patriot might cool, if not cheriſhed by ſome near object of purſuit; the combined influence of

[5] Journ. Lords, 18th, 19th February.
[6] Grey's Debates, vol. ix. p. 89.

James

James and of France might change the complexion of the national repreſentatives, and ſtop the progreſs of political reformation; and though theſe cauſes might not prevail ſo far as to overturn the new ſettlement, yet they would certainly poſtpone and diminiſh the benefits ariſing from it [7]. Theſe arguments, enforced by precedents in ſeaſons of like emergency, preponderated with a majority of the commons, and their conſent was obtained to the bill for turning the convention into a parliament [8]. CHAP. XI. 1689. Bill paſſes for that purpoſe.

The moſt ſalutary change in the conſtitution of England at the revolution, was effected by the regulations which the commons adopted with reſpect to the ſtate and management of the public revenue. The connexion between the public revenue and the temper of government, muſt appear an important and inſtructive fact, to every one who carefully peruſes the hiſtory of England. Though, at an early period, the kings of England poſſeſſed a large independent revenue, ariſing from patrimonial demeſnes, taxations, and ſervitudes, yet theſe were far from being adequate to the extraordinary expences which occurred almoſt in every reign. The prodigality of a court, internal convulſions, and foreign war, had often compelled the prince to own his dependence, and ſolicit the bounty of his ſubjects. The ſolicitations of the prince reminded the people of their own importance. Their diſcontents, hitherto propagated in timid whiſpers, aſſumed the bold ſtrain of complaint and remonſtrance, and dared to approach the throne of the ſuppliant monarch. Hence the redreſs of grievances came to be the ſtated price of liberality to the prince, Obſervations with reſpect to the revenue.

[7] Warrington's Works, p. 509.
[8] Journ. Commons, 19th, 20th February.

and

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and the people wiſely calculated, that any inconvenience, ariſing from the preſent diminution of their property, was abundantly compenſated, by their obtaining ſuch laws and regulations as contributed to its future ſecurity and increaſe [9].

Recent experience recommended the utmoſt caution in the diſpoſal of the revenue. The depreſſion of their own influence, the open violation of the laws, an accumulation of grievances, againſt which they had not an opportunity to remonſtrate while parliaments were laid aſide, were mortifying evidences of the pernicious effects of their raſh and irrevocable generoſity to the late prince. "We may date our miſery to our "bounty," ſaid a member of the houſe of commons. "If king Charles had not had that "bounty from you, he never would have at-"tempted the things he has done."—"I remem-"ber," ſaid another, "when above an hundred "thouſand pounds was given for building of "ſhips, and not one was built; and above two "hundred thouſand pounds, granted to ſupport "the triple league, was employed for breaking "it [10]."

The reformation of the revenue, from theſe conſiderations, appeared the capital point to which the attention of every true patriot ought to be directed; and which, if it was once compaſſed, would enſure the redreſs of every remaining grievance, and the progreſſive improvement of the conſtitution. The moſt perfect political ſagacity could not foreſee what abuſes or grievances might ariſe at any future period, but theſe could be only tranſient, if the revenue was ſubjected to ſuch periodical expirations, as muſt neceſſarily

[9] See Appendix I.
[10] Grey's Debates, vol. ix. p. 125.

render

render the prince dependent upon the gratitude and generoſity of his people. As the foundation of this ſyſtem, it became expedient that the convention ſhould explain the preciſe extent of the generoſity they had already exerciſed towards the king, by putting the crown upon his head. Some of his majeſty's friends were of opinion, that the act of ſettlement conveyed the full poſſeſſion and uncontrolled diſpoſal of the revenue annexed to the crown, at the period of king James's abdication; and it was natural to ſuppoſe, that the king himſelf liſtened with partiality to this opinion [11]. When it was moved in the houſe of commons, that the revenue had expired with the abdication of king James, great addreſs was uſed to treat the queſtion as a point of law, and to exclude thoſe arguments of expediency, which could not fail to incline many of the members to approve of the motion, if it had been fairly open to diſcuſſion. Theſe perſons contended, that the revenue which had been conferred upon the late king, became the inherent right of the crown, and attached to his ſucceſſor, without any new interference, or confirmation by parliament. Others, who profeſſed an equal reſpect to the authority of law, advanced an opinion which rendered the royal income precarious, but not in the ſame degree dependent as if it had now expired, or been beſtowed for a ſhort or definite period. They maintained, that the revenue was ſubjected to the ſame regulations with private property; that having been granted to James, for the purpoſe of governing during his life, it could not be alienated from that purpoſe, or follow him after he had deſerted his public truſt;

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Opinions concerning the king's right to the revenue.

[11] Grey's Debates, vol. ix. p. 109. 114.

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but that, while he lived, it belonged to the perſon ſubſtituted in his official ſtate. Upon the event of the death of James, they acknowledged that the revenue would revert to the commons, and might then be regulated, both with reſpect to quantity and duration, as the circumſtances and intereſts of the nation required [12].

Former abuſes in the management of the revenue.

The motives for diſſenting from theſe opinions did not ariſe, merely, from the apprehenſion of diſtant or imaginary abuſes of a revenue exempted from the control of the people. An inquiry, inſtituted by the commons into the ſtate of the revenue, and abuſes in the expenditure of public money, led to diſcoveries which left it no longer doubtful, from what ſources the former oppreſſions of the nation had flowed; and demonſtrated the neceſſity of the moſt cautious and reſtricted modifications of the ſupplies. Immenſe ſums of the public money had been waſted in the proſecution of grievous ſuits, in behalf of the crown againſt the ſubject. Forty-ſeven thouſand eight hundred and eighty-four pounds had been paid by the privy ſeal to Burton and Graham, who had been employed as agents for the crown in theſe infamous ſuits [13]. One hundred thouſand pounds had been placed to the article of ſecret ſervices, in the courſe of the laſt ten years, a period in which the nation had enjoyed uninterrupted peace. After various debates, the commons found that the revenue had expired [14]; and

Reſolutions with reſpect to it.

[12] Grey's Debates, vol. ix. p. 109. 114

[13] Journ. Commons, 22d February.

[14] This they did in effect, by voting that all thoſe branches of the revenue, which were due in the reigns of Charles and James, ſhould be collected for the uſe and ſervice of the crown, until the 24th June 1689; as by law they might have been during either of thoſe reigns, with a clauſe to indemnify ſuch as had collected any part of the aforeſaid branches ſince the 5th November 1688.

afterwards

afterwards agreed, that four hundred and twenty thouſand pounds ſhould be given to his majeſty, by a monthly aſſeſſment, to ſupply the preſent exigencies of government. CHAP. XI. 1689.

The merit of this important reſolution, and the ſubſequent regulations of ſeparating the civil liſt from the extraordinary demands of government, of appropriating the ſupplies, and of reviewing the application of them, are to be aſcribed principally to the whigs [15]. The tories boaſted of their oppoſition to theſe reſolutions, in order to ſupplant their antagoniſts; and to inſinuate themſelves into the good graces of the king. William was deeply mortified with the dependence to which he was ſubjected, and his affections began to be eſtranged from a party, who appeared to have laid down a plan, to revoke or impair that dignity which their own hands had created. Merit of the whigs in theſe.

A ſpirit of parſimony leſs juſtifiable, diſplayed itſelf in the vote of the commons, with reſpect to the indemnification of the Dutch, for the expences they had incurred in equipping the fleet, and providing other neceſſaries for the prince's expedition to England. This ſubject had been recommended to the commons by his majeſty, in his firſt ſpeech after his acceptance of the crown. The delay or neglect of buſineſs, materially connected with his own honour and the gratitude of the nation, gave him ſenſible uneaſineſs; and he embraced the firſt opportunity, in anſwer to an addreſs of both houſes, again to recommend the States, in terms of the moſt preſſing anxiety, to the protection and gratitude of his parliament [16]. The final reſolutions of the commons, Vote of the commons for indemnifying the States.

[15] Compare ſpeeches of whigs and tories, Grey, vol. ix. p. 121.

[16] Journ. Commons, 8th March.

CHAP. XI. 1689.

extorted by importunity, ſeemed to violate the ſtrict laws of juſtice and delicacy, as the indemnification granted fell ſhort of the ſum which had been expended by the Dutch [17]. Nor were funds appropriated for the purpoſe of diſcharging this debt, till after long delay and renewed entreaties from the king. And finally, when the ſpeaker preſented the bill for this purpoſe to his majeſty, he mentioned the ancient obligations of the States to England, in having obtained, by her gratuitous interpoſition, a deliverance no leſs ſignal, than that which England now acknowledged, by a remuneration of expences [18]. Theſe circumſtances diſcover the early commencement of that jealouſy of the Dutch, which daily increaſed through this reign, and embittered the life of the king: while it certainly reflected no credit, either on the politeneſs or gratitude of the Engliſh.

Oaths to government.

The degeneracy of the conſtitution, and the encroachments made upon the liberty of the ſubject, during the two preceding reigns, were in no point of view more conſpicuous, than in the abuſes and alteration of thoſe ſolemn religious ſanctions, intended to bind more firmly upon the king and his ſubjects, the reciprocal duties of protection and allegiance. The coronation oath had been ſo changed as to weaken the idea of conditional and dependent authority, and to remove the moſt ſolemn reſtraint upon the conſci-

[17] The ſum voted by parliament fell 63,752l. ſhort of the account of expences given in by the States. It is aſſerted by a tory author, that the Dutch were overpaid, in the proportion of 400,000l. price of abdication. Somers' Collection, vol. xi.

[18] Tindal, vol. i. p. 384.

ence

ence of an arbitrary monarch [19]. As the coronation oath was adminiſtered only once at the commencement of a reign, when the people in general are diſſipated with public rejoicings, any alteration in the form or expreſſion of that oath may be ſuppoſed, more readily to have eſcaped their obſervation and cenſure. The corporation oath, as it more frequently occurred, ſo it more expreſsly reminded them of the growth and uſurpation of regal power. All the members of corporations were bound, by the moſt ſolemn obligation, not to take up arms againſt the king, or thoſe who were commiſſioned by him. Thus the ſubject loſt at every hand. The oath taken by James did not engage his conſcience in ſupport of the claims of the people, while his ſubjects were conſtrained to reſign all offices of truſt and emolument; unleſs they bound themſelves to ſubmit to every inferior delegation of tyranny.

Motions for altering them.

If the protection and ſecurity of the ſubject had been conſidered in the moſt liberal view, it is not eaſy to imagine, how any diſpute ſhould have ariſen in either houſe, about the wording of the coronation oath; but even here the jealouſy of party interfered. William was a friend to religious liberty, not merely from political conſiderations, but from thoſe arguments which demonſtrate the wiſdom and juſtice of admitting it, in every ſtate of government and ſociety. This

[19] Tindal, vol. i p. 170. The ancient coronation oath was more full and explicit: the king was bound by it, not only to maintain the laws and protect the rights of his ſubjects, but to aboliſh pernicious laws and cuſtoms. See a copy of the coronation oath, printed in the reign of Edward VI. Blackſtone's Commentaries, book i. chap. vi. The following words are particularly worthy of attention:—"Et a ſoun poiair lez face "garder et affermer que lez gentez du people avont faitez et "eſteiz, *et les malveys leyz et cuſtumes de tout ouſtera.*"

object

CHAP. XI. 1689.

object he purſued through the whole courſe of his life with inflexible and ardent perſeverance [20]. The recent danger, in which proteſtants of every denomination had been aſſociated at the period of William's acceſſion, preſented the moſt favourable opportunity of gratifying the ſtrong propenſity of his mind, by obtaining ſuch alterations in the laws, as might render the eſtabliſhed church more comprehenſive than it had hitherto been, the diſtribution of civil employments impartial, and the indulgence of diſſenters as liberal, as appeared to be conſiſtent with the ſafety of government. When the queſtion of the coronation oath was introduced in the houſe of commons, it was moved by Mr. Hampden, that the clauſe which obliged the king to maintain the church of England, ſhould be expreſſed, and qualified by ſuch terms, as that it might not prevent his conſenting to any alteration in forms and ceremonies approved of by parliament [21]. It was evident, that ſuch a modification of the coronation oath was no leſs favourable to the power of parliament, than it was to the inclinations of the king, while it provided the means of removing thoſe ſcruples, which divided and weakened the proteſtant intereſt at home. In vain it was urged, that the doctrines of faith, founded upon divine authority, conſtituted the eſſential part of chriſtianity, which could admit of no alteration, and with reſpect to which it was agreed, that no latitude ought to be granted; that ceremonies, the invention of men, and accommodated to mutable and external circumſtances, not only involved the idea of fallibility, but implied the neceſſity of

[20] See Appendix II.

[21] Journ. Commons, 25th, 28th March.

future

future alterations [22]. The friends of the church of England and the tories were alarmed. Thoſe, who were ſecretly diſaffected to the king, were happy to thwart him in a favourite point. The original, unlimited expreſſions of the coronation oath, were adopted by both houſes [23], and excited a diſmal foreboding of the iſſue of every future attempt for the extenſion of religious liberty.

For exempting proteſtant diſſenters from the teſt.

In conſiſtency with this zeal for the eſtabliſhed church, the commons reſolved to maintain the ſame reſtrictions, in the new modelling of the different oaths to be impoſed upon the ſubject. The teſts required of perſons who were to be admitted into public offices previous to the revolution, had reſpect both to their political, and religious principles; the firſt were aſcertained by the oaths of allegiance and ſupremacy, the ſecond by obedience to the teſt, or receiving the ſacrament according to the uſage of the church of England. All parties had agreed, that an alteration was requiſite in the criterion of political faith. The oath, as it ſtood, not only bound the ſubject by fidelity and allegiance to the reigning prince, but exacted an opinion with reſpect to his excluſive title to the crown, by acknowledging him as rightful and lawful king. It was reſolved, therefore, to omit this clauſe in the oath, which related to the quality or baſis of the royal authority, now more than ever liable to be controverted, and to retain a ſimple engagement to faith and allegiance. The oath of ſupremacy, eſtabliſhed in the reign of Elizabeth, had long been conſidered as a national grievance, and all parties, who had co-operated in the revolution, were virtually

[22] Grey's Debates, vol. ix. p. 190. 200.

[23] Journ. Lords and Commons, 6th and 9th April.

pledged

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pledged to aboliſh it. The only remaining topic of diſpute referred to the religious qualifications of the perſons who were to be admitted into office, namely, whether they ſhould be ſubjected to the teſt? In this queſtion the king had publicly taken a ſide, and, in a ſpeech to both houſes, had expreſſed his deſire, that, in ſettling the oaths, room might be left for the admiſſion of all proteſtants who were able and willing to ſerve him. In conformity to his deſire, a clauſe was introduced during the dependence of this bill in the houſe of lords, to take away the neceſſity of receiving the ſacrament according to the form of the church of England, as a qualification for enjoying any office of government[24]. This clauſe was rejected, under the pretext of zeal againſt the Roman catholics, who, it was aſſerted, could not be diſtinguiſhed from proteſtants, or prevented from intruding into offices, by any other method than a ſpecific and ſolemn expreſſion of their conformity to the eſtabliſhed church. The conduct of thoſe who oppoſed the bill might, in this view, have been aſcribed to motives of cautious policy, if an amendment, which obviated the difficulty, had not met with the ſame unfavourable treatment. It was propoſed, that every perſon ſhould be qualified for public office, who, within a year before or after his admiſſion to it, received the ſacrament, either in the church of England, or in any other proteſtant congregation. But this amendment, as well as the previous clauſe, was rejected by a great majority of the lords[25].

18th March.

Unſucceſsful.

Indulgence in favour of the clergy.

Compliance with a peculiar indulgence, propoſed in behalf of the clergy, made it evident, that a predominant partiality to the church, rather

[24] Journ. Lords, 21ſt March.
[25] Ibid. 23d March.

than

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than any motive of policy, influenced the reſolutions of the lords with reſpect to the new oaths. The reception William met with from the dignified clergy, after his arrival in England, by no means correſponded with that early and ſpirited reſiſtance to arbitrary power, which began the work of the revolution, and encouraged thoſe bold meaſures which brought it to a concluſion. Few of the clergy of diſtinguiſhed rank approved of the new ſettlement; moſt of the biſhops diſcontinued attendance in parliament: archbiſhop Sancroft declined officiating at the coronation. From ſuch expreſſions of their ſentiments and temper, there was reaſon to believe, that the new oaths would be as little acceptable to them, as the teſt was to the diſſenters. The king was anxious to avoid proceeding to extremes againſt a body of men whoſe character attracted reverence, and whoſe cauſe was ignorantly blended with the cauſe of religion. Gratitude ſeemed to juſtify a ſingular, and even perilous indulgence to thoſe who had laid the foundations of the revolution, though they were afterwards inclined to retard and mar its ſuperſtructure. Time and forbearance might remove ſcruples which rendered them ſo backward to acknowledge the authority of the king, and reconcile them to thoſe meaſures of union with their diſſenting brethren which he ſo paſſionately deſired. From a regard to theſe conſiderations the lords agreed to a clauſe in the bill, which, inſtead of obliging the clergy to take the oaths under the penalties of law, left it to the diſcretion of the king to tender them or not, as he judged expedient[26].

Agreed to by the Lords.

When the bill was ſent to the commons, the very conſiderations which moved the lords to ſhow

Refuſed by the commons.

[26] Journ. Lords, 22d April. Tindal, vol. i. p. 183.

peculiar

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peculiar favour to the clergy, were converted into arguments for withholding their aſſent to it. To give liberty to perſons of ſuperior ſtation and influence to conſpire againſt government, without any reſtraint from conſcience, was repreſented to be a ſpecies of policy, infatuated rather than lenient. If no dangers were to be apprehended, from the immediate agency of thoſe who were favoured by this indulgence, yet their examples in declining to take the oaths, might produce the moſt pernicious effects, by exciting ſcruples in the minds of the laity, and ſpreading diſaffection to government[27]. The lords demanded a conference with the commons upon their rejecting this bill, but finding them irreconcilable to it, were content to obtain a conceſſion, which afforded the king an opportunity of mixing mercy with judgment. He was empowered to reſerve, for any twelve clergymen who ſhould be deprived for refuſing the oaths, a third part of their benefices during his pleaſure. With this amendment the bill for the oaths and teſts paſſed both houſes, and obtained the royal aſſent.

24th April.

Bill of comprehenſion.

Nothing more ſtrongly evinces the deſire of William to aboliſh religious and political diſtinctions, than the variety of meaſures he deviſed, in order to accompliſh that end, and his perſeverance in proſecution of them, notwithſtanding the frequent repulſes and defeats he experienced. Diſappointed in his plan of raiſing proteſtant diſſenters to a capacity of civil employment, his only hope was to enlarge the pale of the church, and to obtain ſuch moderate and rational conceſſions from her, as might ſubdue the ſcruples of the diſſenters, and allure them into her boſom. For this

[27] Grey's Debates, vol, ix. p. 258. Journ. Commons, 20th, 22d April.

purpoſe

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1689.

purpoſe a bill of union and comprehenſion was introduced in the houſe of lords, formed upon the model of that which had been propoſed to allay the heats of parties during the dependence of the bill of excluſion[28]. The principle of this meaſure was ſo rational and liberal, that its enemies durſt not hazard any attack or objection againſt it, upon the foot of argument. A preliminary queſtion however exiſted, before any progreſs could be made in this bill, and involved difficulties, which afforded but unpromiſing hopes of its ſucceſs. Who were the judges competent to ſpecify thoſe conceſſions, which might prudently and ſafely be offered upon the part of the eſtabliſhed church, for the purpoſe of reconciling and uniting the diſſenters? An excluſion of the laity was invidious, and not only deviated from the precedents eſtabliſhed by the reformation, but ſtruck at the foundation of the proteſtant religion, which appealed to the underſtanding of mankind at large, as qualified to decide concerning the doctrines of faith. Nor were the clergy, if the buſineſs was committed ſolely to them, wedded to the faith and ceremonies of the eſtabliſhed church, likely to conſent to any liberal and effectual plan of union. Jealous of the favour of the king, many of them waited the reſult of this bill with a ſuſpicious vigilance; and it was believed, that they would not have been diſſatisfied, if any innovation upon forms, or any encroachment upon their authority, had furniſhed a pretext for making a ſchiſm in the church. Indulgent to their prejudices, the lords agreed, that the clergy alone ſhould judge of thoſe articles which were to be propoſed as a baſis of union with diſſenters[29].

Favoured by the lords.

[28] Burnet. Journ. Lords, 11th March.
[29] Ibid. 4th April.

The

CHAP. XI. 1689.

The very day the bill was ſent to the commons, they reſolved upon an addreſs to the king, to be drawn up in terms which anticipated the diſcuſſion of its merits, and ſpread an alarm of the danger of the church. They thanked his majeſty for his repeated aſſurances that he would maintain the church of England; and humbly prayed, that, according to the ancient practice of the kingdom, he would be pleaſed to ſummon a convocation of the clergy, to be adviſed with in eccleſiaſtical matters[30].

Thwarted by the commons.

Cauſes of the ill ſucceſs of the bill.

It is to be regretted by all the friends of liberty, that a variety of cauſes contributed to diſappoint thoſe liberal plans of religious union, at a period, when the recent ſympathy and united ſervices of all his proteſtant ſubjects, as well as the ſtrong deſire of the king, furniſhed additional arguments for carrying them into execution. The tories in adminiſtration, though profeſſing to approve of thoſe ſchemes for the extenſion of liberty, yet, as they were not friends to toleration in their hearts, they did not ſupport them with thoſe ſtrenuous efforts which might have enſured their ſucceſs; and it was even ſuſpected that they counteracted them by ſecret influence, while the whigs, diſappointed in their ſcheme of engroſſing adminiſtration, embraced every opportunity to ſhew their ſtrength, and expreſs their reſentment againſt the king, by defeating ſuch meaſures as proceeded from his perſonal inclination, however agreeable

[30] Journ. Commons, 9th and 13th April. In compliance with this addreſs, the king called a convocation, which met next ſeſſion of parliament, on 21ſt November 1689. But, in their debates upon the addreſs, and other preliminary ſubjects, the lower houſe diſcovered ſuch a ſpirit of bigotry, and ſuch aſperity towards diſſenters, as made it evident that they never intended to promote any plan of union with them. Burnet.

to

to the general tenor of their own principles[31]. It is likewiſe to be obſerved, that the enemies to the ſcheme of comprehenſion derived additional influence, from the diviſions which ſubſiſted among the diſſenters themſelves. Independents, anabaptiſts, and more rigid preſbyterians, aware that they could not come into the church upon any conceſſions which either parliament or the convocation were likely to vouchſafe, beheld, with an unfriendly eye, the progreſs of meaſures calculated to rend and weaken their body; and to improve the condition of others, who were now involved in the ſame inconveniences[32]. Theſe circumſtances may explain, but can never vindicate, the narrow policy of the commons, in rejecting the alterations in the

[31] Ralph, vol. ii. p. 72.

[32] From a report concerning the proportion of the different religious ſects after the revolution, it appears, that conformiſts were to non-conformiſts, as 22$\frac{4}{5}$ to one: conformiſts to papiſts, as 178$\frac{10}{13}$; and proteſtants to papiſts, as 186$\frac{2}{3}$. Dalrymple, part ii. p. 12.

Such diſproportion between the number of proteſtant diſſenters and the members of the church, hardly appears conſiſtent with the great influence of the former in corporations, before the ſurrender of charters, and the attention paid to them by king James. This is the more remarkable, as it is obſerved in the above report, Ibid. p. 14. that, in ſome of the towns, the foreign proteſtants, chiefly, make up the number of diſſenters. It is not unreaſonable to ſuppoſe, that the perſons who were employed to make the calculations were intereſted for the church, and by no means inclined to diminiſh the number of its adherents; and, as the king was anxious for extending indulgence, they might perhaps under-rate the conſequence of thoſe who were the objects of it. Some of the northern counties, which contained a great proportion of diſſenters, ſeem to have been omitted in this calculation. In drawing up the liſts which were to found the reports, diſſenters of ſubordinate ſtation would often be arranged under the religion of the family to which they belonged. Many families of diſſenters, in obſcure condition, were probably altogether over-looked, and others who conformed occaſionally, would be accounted complete conformiſts.

corporation

CHAP. XI.

corporation act, and oppoſing the ſcheme of comprehenſion.

1689.

All parties, however, had acknowledged that ſomewhat in the way of favour was due to proteſtant diſſenters. The perſecution they had ſuffered, during the reign of Charles the Second, furniſhed the friends of the revolution with ſome of the ſtrongeſt objections to arbitrary government. Their final rejection of the inſidious indulgences proffered by James; their meritorious ſervices in cooperating with the church in the work of the revolution, entitled them to participate of the fruits and bleſſings of that glorious event. The force of theſe conſiderations ſo far prevailed upon both houſes, as to obtain their aſſent to an act for repealing the penal laws to which the diſſenters had been formerly ſubjected[33].

Act of toleration.

However ſevere the reſtrictions, ſtill impoſed upon diſſenters, might appear, they had this advantage, that they were defined and notified; the perſons to whom they referred knew what they had to hope or to fear; and might calculate with preciſion the loſs to which they were ſubjected, by a rigid adherence to their religious principles. A long ſeries of arbitrary meaſures, in the courſe of the two preceding reigns, had enlarged the liſts of political delinquents, who now, with painful anxiety, waited the iſſue of a bill of indemnity; and as their numbers were conſiderable, and their

Bill of indemnity.

[33] Journ. Lords and Commons, 24th May. By this act the penal laws were aboliſhed, ſo far as related to diſſenters who took the oaths to the preſent government. Diſſenters choſen to the offices of conſtable, churchwarden, &c. who ſcrupled to take the oaths required by law for ſuch offices, were permitted to execute them by deputies. Diſſenting preachers, who took the oaths to government, and ſubſcribed the articles of the church of England, except the 34th, 36th, and part of the 20th, were exempted from the penalties mentioned in the ſeveral ſtatutes of Charles the Second.

connexions

connexions extenſive, the queſtion deeply affected the ſtate of parties, and the intereſt of government. CHAP. XI. 1689.

As all revolutions of government proceed from real or imaginary oppreſſions, and are accompliſhed after ſtruggles which heighten the animoſities and reſentments of contending parties; ſo, upon the commencement of a new government, the greateſt prudence is requiſite, in ſelecting the proper objects of honour and employment, or of diſgrace and puniſhment. Though lenity may ſometimes ſoften hardened and inveterate offenders, yet when exerciſed indiſcriminately, it diſcourages the faithful, and removes one of the moſt powerful checks upon the intrigues of ambitious men. It would have been unjuſt, as well as impolitic, to have conſigned to deſpair all thoſe perſons in England who had been, at a diſtance of time, or by ſecondary agency, ſtained with political iniquity. Many of them were, in the line of office, ſubjected to the orders of ſuperiors, and reſtrained from offering their opinion or advice, concerning thoſe meaſures in which they were compelled to act. Some of them teſtified their diſapprobation of deeds of violence which they had not power to prevent. Others had retired from office, ſtung with remorſe for the wrong ſteps into which they had been ſeduced; and had in ſome meaſure made an atonement to the public, by their zeal and activity in the great work of national deliverance. To explore the genuine motives of actions in a period of tumult and conteſt; to aſcertain preciſely the gradations of guilt, or the merit and demerit of individuals, and to draw the line of diſtinction; was a taſk attended with manifeſt danger to government, and unavoidably liable to great partiality and miſtake.

The

CHAP. XI.

1689. The king anxious for it.

The natural inclination, and ſound policy of the king, rendered him extremely anxious to obtain an indemnity upon a broad foundation, and in every view more liberal than what was approved of by thoſe, who were firſt attached to his intereſt. For this purpoſe he expreſſed his earneſt deſire, by a meſſage to both houſes of parliament, to obtain an act of general pardon and indemnity, that his people might be delivered from the reproach and penalties to which many of them were liable.

25th March.

The king's meſſage, according to form, was acknowledged with an addreſs of thanks; yet how little the commons were diſpoſed to comply with it, appears, both from the firſt ſteps with which they entered into the buſineſs, and the various diſputes and delays which retarded its progreſs. Upon the report of his majeſty's anſwer to their addreſs of thanks, they appointed a revival of the committee empowered to inquire into the authors and adviſers of grievances. A more untoward omen of the future ſucceſs of the bill could not have occurred, for it was, in effect, collecting difficulties and obſtructions, calculated to entangle and perplex them, in every ſtep, towards the object of the king's recommendation. And accordingly we find, that the ſame difficulties which embarraſſed the houſe on the fourteenth of May, one thouſand ſix hundred and eighty-nine, notwithſtanding many intervening debates and reſolutions, were recapitulated, without any diminution, on the twenty-ſixth of January, one thouſand ſix hundred and ninety[34].

1ſt April.

Different plans of proceeding in this bill.

The moſt important queſtion which occurred in the courſe of the debates on the bill of indemnity, related to the plan of regulating the exceptions;

[34] Compare Journ. of Commons, and Grey's Debates, vol. ix, p. 244. 538.

for

or drawing the line of ſeparation between the objects of mercy and of puniſhment. Whether was it moſt expedient to begin with the exception of crimes, or of perſons? In the former caſe, it was propoſed to deſcribe ſuch crimes as ought, deſervedly, to exclude the perſons convicted of them from the benefit of the indemnity. It was eaſy to foreſee that this plan of proceeding, though recommended by the appearance of equity and impartiality, would be productive of ſuch a variety of future diſputes, and of ſuch delays, as muſt in a great meaſure fruſtrate the very purpoſe of the bill. Conſidering the various prejudices, intereſts, and connexions of the members, of both houſes, it was not likely that they would be brought to adopt the ſame ſtandard of guilt, or to agree in ſpecifying the crimes which were to be placed beyond the reach of mercy. But ſuppoſing this difficulty to be ſurmounted, and the houſe brought to an agreement with reſpect to thoſe crimes which were to be excepted, the moſt deteſtable conſequences would afterwards enſue from the inveſtigation of proof, and the application of guilt. Into what unpleaſant diſcoveries might theſe unwarily betray them? The buſineſs, conducted upon this plan, would become an engine, which every party by turns might employ for the gratification of their reſentments, and the ruin of their enemies. Inſtead of ſetting the hearts of his majeſty's ſubjects at eaſe, it would prolong the gloomy period of ſuſpence, propagate ſuſpicion, and multiply the odious badges of diviſion. It was compared to ſailing in the wide ocean without a a compaſs; and to wandering in an immenſe foreſt where no path was marked, to cheer the hope, and guide the ſteps, of the bewildered traveller[35].

[35] Grey's Debates, vol. ix. Letter to a Member of Parliament, Somers' Collection.

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Such as were friends to the bill propoſed, that the houſe ſhould immediately proceed, to ſpecify the names of the perſons who were to be excluded from the benefit of the indemnity. There was no occaſion, it was obſerved, to have recourſe to the more tedious proceſs of conviction by proof. Some, like Cain, carried about with them prominent features of guilt and ſelf-condemnation. By excepting a few notorious offenders, public juſtice would be ſatisfied: miniſters and their agents would be overawed, and the ſtrength of all parties united, to repel the hoſtilities of France, brought home to their very doors by the invaſion of Ireland[36].

The whigs jealous of the king,

The jealouſy of the whigs rendered them unwilling to gratify the king, by conſenting to a meaſure, calculated to increaſe the number and influence of their competitors. They began to perceive, that it was neceſſary to have better ſecurity for maintaining their pre-eminence, in power, than the merit of their political ſyſtem, or the priority of their connexion with the king. Contrary to his

[36] King James landed at Kinſale with about 5000 French troops, entered Dublin on the 7th May, and ſummoned a meeting of parliament. For the account of the proceedings of this parliament, ſee chap. xii.

Upon the arrival of James, moſt of the proteſtants and friends to the revolution retired to Londonderry, where they ſuſtained a ſiege of three months, and exhibited examples of conduct, valour, and patient enduring of calamities, exceeded by nothing in the annals of ancient or modern nations. Admiral Herbert had the worſt of an engagement with the French fleet off Bantry Bay, 30th April 1680; ſeveral merchant ſhips were taken by the French. The army afterwards ſent to Ireland, was very ill furniſhed with proviſions and clothing; and moſt of the regiments were deficient in their complement of men. Theſe misfortunes occaſioned great murmuring in the nation, and were often introduced in both houſes of parliament. See Journ. Lords, 15th and 18th June. Journ. Commons, 11th and 16th November. Grey's Debates, vol. ix. p. 421. 441-6,7,8. 480.

generous

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generous purpoſe, they endeavoured to pervert the bill into an inſtrument of publiſhing guilt, of multiplying political diſqualifications; and reducing the number of their rivals for power. Thus, inſtead of proceeding directly upon the bill, they called for the reports of the ſeveral committees appointed to inquire into public grievances. The ſtrain of debates into which the conſideration of theſe unavoidably led them, and the reſolutions founded upon them, tended every day to augment the liſt of exceptions. They ſeemed deſirous, not only to debar from a capacity of employment their antagoniſts, who were not yet inveſted with it; but, by reviving political queſtions, which had been the occaſion of great diſturbances in the preceding reigns, they hoped to accompliſh the diſmiſſion and diſgrace of ſome of thoſe who held the principal places in the preſent adminiſtration[37]. No interceſſion or recommendation by the king, had any influence in moderating the temper of the commons, or promoting diſpatch in this buſineſs, in which he was ſo deeply intereſted.

obſtruct the bill.

The act of ſettlement, and the bill of rights, equally intereſting to the king and the ſubject, came under the conſideration of both houſes, in the courſe of this ſeſſion. No alteration or improvement was propoſed, with reſpect to the bill of rights, the moſt important of theſe ſubjects; but, with regard to the act of ſettlement, amendments were ſuggeſted, which firſt opened to the illuſtrious houſe of Hanover a remote, and, as time has evinced, no illuſive proſpect of the crown of England. In the courſe of debates in the lower houſe, it was obſerved, that the ſafety of the proteſtant religion required a farther extenſion of the

Act of ſettlement.

[37] Journ. Commons, 29th May; 4th, 8th, 16th, and 18th June; 1ſt and 15th July. Grey's Debates, vol. ix. p. 224. 538.

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succeſſion to the crown; and it was moved, that a clauſe ſhould be introduced, to prevent the act of ſettlement from being hurtful to the intereſt of any proteſtant prince[38]. This amendment was rejected by the commons. When the bill was under the conſideration of the lords, it was moved, that the ducheſs of Hanover ſhould be placed in the ſucceſſion after the princeſs Anne[39]. To this the houſe agreed, but when the bill was returned to the commons, it occaſioned a keen debate[40]; and was rejected by the conjunction of parties, who ſeldom coincided in the ſame meaſures. The tories with reluctance, and in compliance with neceſſity, had conſented to a deviation from the direct line of ſucceſſion; by eſtabliſhing the right of the preſent king and queen, and of the princeſs Anne; but the nomination of the ducheſs of Hanover, paſſing by other families more nearly allied to the blood royal of England, was a ſacrifice which they thought no expediency required; and which ſeemed to eraſe the foundations of hereditary monarchy. With the rejection of this clauſe, ſuch of the whigs, as leaned to republican principles, concurred, though they were moved to it by motives different from thoſe which influenced the tories. The former were well pleaſed to believe, that by departing from the next ſucceſſor, at the revolution, they had given a deep wound to monarchy; and reſerved for their poſterity the proſpect of aboliſhing it, if the extinction of the families named in the bill ſhould, in future time, render the ſucceſſion ambiguous and controverted. The united influence of thoſe two parties defeated all the arguments employed by the lords, in the courſe of different conferences, to perſuade the commons to

Motion for naming the ducheſs of Hanover in the ſucceſſion.

[38] Ibid. p. 237.
[39] Journ. Lords, 25th May.
[40] Grey's Debates, vol. ix. p. 345. 351.

adopt

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adopt their amendments [41]. After the birth of the duke of Gloceſter, the lords departed, without any ſacrifice of dignity or conſiſtency, from that clauſe which related to the ducheſs of Hanover; but by an amendment, which excluded papiſts from the ſucceſſion, the proſpect and claims of her family to the crown of England were promoted; and with this amendment the bill paſſed both houſes, and obtained the royal aſſent.

1689. 27th July.

Effects of the motion.

The introduction of the houſe of Hanover in the line of ſucceſſion to the crown of England, may juſtly be conſidered, on account of its near and remote conſequences, as one of the moſt memorable events which occurs in the hiſtory of this reign. By this meaſure, the duke of Hanover was ſeparated from the intereſt of France, to which he had formerly adhered, and the ſtrength of the grand alliance was augmented. England engaged in foreign wars with an eagerneſs ſhe never could have felt, and carried her interference in foreign politics to an exceſs, into which ſhe never could have run, if ſhe had not firſt anticipated, and afterwards experienced the influence of this intimate connexion with a continental prince. By the proſpect and contingency of the Hanoverian ſucceſſion, a new influence was introduced into the political ſyſtem of Eng-

[41] Lords' Debates, vol. i. p. 385,6. Lord Rocheſter, notoriouſly attached to the hereditary ſucceſſion, managed the conference in behalf of the lords, to perſuade the commons to conſent to the nomination of the ducheſs of Hanover in the bill of ſucceſſion. He had fallen under the ſuſpicion of the king, for the part he had acted during the interregnum. Clarendon's Diary, 30th May 1690. He was anxious to recover the king's favour, by his zeal for a meaſure which was ſo much deſired by him. It is worthy of obſervation, that, in this and other inſtances, the tories, both as individuals and as a party, whatever their private inclinations were, eminently contributed to promote the Hanoverian ſucceſſion.

land,

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land, which powerfully operated upon the temper, the conduct, and the intereſt, of every party. Eſtimating their ſecurity from popery as the firſt national bleſſing, the people clung with fond attachment to the ſucceſſion of a family diſtinguiſhed by their zeal for the proteſtant faith. The tendency of public meaſures to promote, or obſtruct the act of ſettlement, was the ſtandard which regulated popular opinion, and marked out for praiſe or cenſure the perſons to whom they were aſcribed. To this ſtandard, whigs and tories, in oppoſition or in power, made the appeal for the purity of their intentions; and, in both ſituations, were inſtrumental in contriving meaſures which ſtrengthened the act of ſettlement. But, as ſuch meaſures were known to be conſonant to the principles of the whigs, and inconſiſtent with the prejudices of the tories, the former gained credit and popularity, while the latter only blunted the edge of oppoſition, by their endeavours for maintaining the proteſtant ſucceſſion. Upon the ſame grounds, the whigs acquired the confidence of the family, which entertained ſo near a proſpect of the throne; and this circumſtance encouraged their activity, increaſed their influence, and ſecured to them unrivalled ſuperiority under the reign of the princes of the houſe of Hanover.

Meaſures of parliament adopted to extraordinary events.

The ſubjects, which have been already treated in this chapter, came under the conſideration of parliament, according to deſign and expectation; and were eſſential and connected parts of the political ſyſtem, ſuggeſted by the ſituation of the kingdom, and the condition and intereſt of parties, at the revolution. There were extraordinary and unforeſeen occurrences, which demanded the immediate and ſerious deliberation of the national council, and produced important and permanent

permanent effects upon the political ſtate of England. CHAP. XI.

The new government had not long exiſted, when events of a threatening nature endangered its ſtability. Several perſons of diſtinction were apprehended, upon the ſtrong preſumption of their having entered into a conſpiracy, to replace James upon the throne. A mutinous diſpoſition had appeared in the army: One regiment reſiſted the king's orders to embark for Holland; and purſued their march towards Scotland, expecting to be joined by others, equally diſaffected [42]. 1689.

The king found himſelf particularly embarraſſed, with reſpect to the proper methods of proceeding againſt the perſons apprehended under the ſuſpicion of conſpiracy. If he ſhould ſet them at liberty, his perſonal ſafety, and that of the government, muſt be expoſed to extreme danger; and ſhould he either detain them in priſon, or exact exceſſive bail, he muſt incur the cenſure of breaking the laws he came to defend. He acted with as much prudence as circumſtances would admit; and, by a meſſage to both houſes of parliament, referred himſelf entirely to their advice and direction. The houſe of lords agreed upon an addreſs of thanks to his majeſty, for taking into cuſtody ſuſpected perſons. A bill was brought into the houſe of commons, for ſuſpending the habeas corpus for the ſpace of three months, and quickly paſſed through both houſes. Though this meaſure was conſtrained by the moſt glaring neceſſity, yet it did not eſcape the ſevereſt cenſure; and the king was repreſented as having already, in the courſe of a few months, 1ſt March. The habeas corpus ſuſpended.

[42] Kennet, vol. iii.

effected

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effected a deeper encroachment upon the liberty of the ſubject, than what had been attempted either by Charles or by James [43].

The diſaffection of the army was the cauſe of introducing a more memorable innovation into the conſtitution of England. The excellence of the criminal laws of England ariſes from this circumſtance, that, while they are ſufficiently vigorous for the protection of the ſtate, and of the rights of individuals, exceſs of puniſhment is prevented, and the eſtabliſhed forms of trials are ſo fair and deliberate, that they can hardly be wreſted to the deſtruction of the innocent, or the gratification of deſpotic reſentment. Where no force is likely to interfere, by obſtructing juſtice, and diſturbing the order of government, ſmall inconvenience can ariſe from the delay of puniſhment, till every circumſtance is inveſtigated, to remove even the ſhadow of doubt, concerning the guilt of the perſon upon whom it muſt fall. But, with reſpect to crimes which proceed from collective bodies of men, the public ſafety requires a more compendious procedure, and more ſevere puniſhment. The multitude of offenders emboldens the profligate, and produces the moſt outrageous and extenſive miſchiefs. This obſervation may be applied, with ſtill greater propriety, to a claſs of men, who are placed in a ſituation, which renders their attachment to one another more firm, their combinations more eaſy and imperceptible, and their power more active and formidable, than that of any other rank, or body of citizens. Diſaffection in an army, if it does not meet with an immediate check, muſt inevitably overpower all reſiſtance, and ſubvert the conſtitution. Such are the prin-

The mutiny bill.

[43] Burnet.

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ciples which juſtify the inſtitution of martial law, and that harſh, though perhaps neceſſary diſcrimination between the military body and the civil members of the ſtate, introduced by the mutiny bill [44]. Such however is the jealouſy of the legiſlature for the preſervation of the conſtitution, that as the mutiny bill was at firſt a conceſſion to neceſſity, ſo the ſame neceſſity, though not actually exiſting, is ſtill ſuppoſed, upon every renewal of it, and its duration limited to one year. CHAP. XI. 1689.

The adherence of Ireland to the intereſt of James, ſupported by the aſſiſtance of France, called for extraordinary ſupplies; which, however, were granted, with ſuch limitations as were extremely mortifying to the king; while delay, miſmanagement, and ill ſucceſs, in that quarter, afforded the diſcontented inexhauſtible topics of complaint and accuſation againſt thoſe whom his majeſty had intruſted with the direction of public affairs [45]. Supplies for Ireland.

The regulations adopted by this parliament, with reſpect to the finances, deſerve to be remembered with gratitude and praiſe. They retrenched the redundancy, and aboliſhed the independence of the revenue, which had proved both a temptation and a ſcreen to tyranny, in the late reign. They calculated the expences of the military and naval eſtabliſhments, in the time of peace, and modified the ſupplies in proportion to them. They ſeparated the civil liſt from the extraordinary articles of expence, and reduced the firſt of them conſiderably below what had been enjoyed by king James. To inculcate œconomy and fide- View of the regulations of the revenue.

[44] Blackſtone, vol. i. p. 414.
[45] Journ. Commons, June and July, paſſim.

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lity in the future management of the revenue, they ordered proſecutions to be carried on againſt thoſe who had been found guilty of abuſe and peculation [46].

Severe laws with reſpect to the Roman catholics.

The difficult eſcape of the nation from popery, and the dread of conſpiracies, may be conſidered as an apology for many reſolutions and acts againſt the Roman catholics, which favoured too much of a revengeful and perſecuting ſpirit. It muſt ſtill be deeply lamented, that narrow views of religion, or circumſtances ſingularly perilous, ſhould have thrown ſhades upon a period of hiſtory ſo brilliant, and ſo delightful to the liberal mind. To the honour of king William it ought to be mentioned, that he exerted his utmoſt influence to repreſs this violent temper [47]; and even, at the hazard of loſing his popularity, refuſed to execute ſeverities againſt Roman catholics, urged by the parliament.

Oppreſſions inveſtigated.

Agreeably to the reports of their committee, the commons inveſtigated the moſt notorious grievances and abuſes, in the two preceding reigns. They entered into a minute examination of the agents and judges, who were inſtrumental in arbitrary meaſures, and illegal ſentences. Reſolutions of cenſure were paſſed againſt ſome; others were committed to priſon, and proſecutions were inſtituted, in order to bring them to condign puniſhment. Arbitrary ſentences were reverſed, illegal attainders repealed, exorbitant fines remitted, and compenſations were made to the families of thoſe who had ſuffered the extreme effects of arbitrary malice [48].

Redreſſed.

[46] Journ. Commons, paſſim.

[47] Append. : II.

[48] Journ. Lords and Commons, paſſim, particularly 25th February, 15th and 16th March, 1ſt April, 22d, 23d and 29th May. The attainders of lord Ruſſel, Algernon Sydney, Corniſh, and Alicia Lyſle, were reverſed: Oates was diſcharged from priſon, and a penſion ſettled upon him.

The

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The reader, who wiſhes to be fully informed of the ſtate of the nation during the two preceding reigns, and of that weight of oppreſſion with which it was overwhelmed, ought carefully to peruſe, not only the reports of the committee of grievances, but the petitions repreſenting to parliament the ſufferings of individuals, occaſioned by the unwarrantable proceedings and cruel ſentences of the courts of law. Subornation of witneſſes, packing of juries, the debarring the accuſed from the means of defence, the overbearing menaces of judges, the elaborate perverſion of evidence, a ſavage ſporting with calamity, exorbitant fines, cruel and arbitrary ſentences, the ſevereſt penalties of law inflicted upon ſcanty proof, to gratify the pique or reſentment of a tyrannical prince [49]; theſe convey to the mind a more preciſe and affecting conception of national miſery, than what is excited by ſpeculating upon the conſequences of new claims of prerogative, and the unconſtitutional religion of the prince. It is unneceſſary to attend the apologies for the neglect of forms, in order to vindicate the expediency of the revolution. Feeling quickly and powerfully perſuades; we feel anew that irreſiſtible neceſſity, which conſtrained all parties and orders of men, to ſeek for refuge and deliverance by whatever means it could be obtained. Indignation, ſympathy, congratulations, by turns agitate the mind, and eſtabliſh, in the hearts of every well-informed citizen, a monument of gratitude to thoſe illuſtrious patriots, who, under heaven, were the inſtruments of reſcuing their cotemporaries and poſterity from the yoke of deſpotiſm. Reflections.

[49] Warrington. Journ. Lords and Commons, 25th October, 12th and 19th November. Trials of Liſle, Corniſh, Prideaux, and Devonſhire.

Many

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Many of the examples of oppreſſion to which we have alluded, were occaſioned, either by the inſtitution of courts unknown to the conſtitution, or by the ordinary courts of juſtice having exceeded their powers, and perverted the laws, which ought to have been their rule of judging and puniſhing. By the bill of rights, ſuch courts and ſentences were declared to be contrary to the conſtitution. To extend the ſame equal diſpenſation of juſtice to every part of the kingdom, the court of marches in Wales, in its very conſtitution favourable to arbitrary power, was aboliſhed. Courts of conſcience, which had been found to afford a cheap and ſpeedy courſe of obtaining juſtice, and highly beneficial to the commercial intereſt, were eſtabliſhed in moſt of the conſiderable towns in England [50].

Both houſes enter into the king's views of war with France.

The unanimity and alacrity with which both houſes ſeconded the views of the king, by entering into war with France, exhibited a ſtriking example of the temper of the Engliſh nation, and gave birth to a ſyſtem of politics, which had produced the moſt intereſting events in the hiſtory of England ſince the period of the revolution. It is ſomewhat extraordinary, that a jealouſy of the Dutch, ſo predominant among all parties upon every other occaſion, did not ſhew itſelf, by ſuggeſting objections to a meaſure principally ſubſervient to their reſentments and intereſts. It might alſo have been expected, that individuals, endowed with penetration and integrity, would have required time to deliberate maturely upon affairs of ſuch magnitude, and that they would immediately have foreſeen embarraſſments, accumulation of expences, and the ſeeds of future conteſts, to be the conſequences of interfering ſo

[50] Journ. Lords and Commons, paſſim.

deeply

deeply in continental intereſts. So far from being ſtaggered with any of theſe apprehenſions, they ruſhed with ardour into the plan of foreign war; and though often diſtruſtful of the king, when there was no reaſon to withhold their confidence, they teſtified the fulleſt approbation of the alliances he had made, without examining the merits of them, and engaged to ſupport him with their lives and fortunes in proſecution of the war againſt France, without ſpecifying any particular conditions to reſtrain his inclinations, or limit their own generoſity [51]. CHAP. XI. 1689.

The conduct of parties on this occaſion can be accounted for, only, by that deep and inveterate antipathy againſt the French, which, from an early period of hiſtory, forms a conſpicuous feature in the character of the Engliſh nation. That antipathy had been increaſed by the reſtraints which fettered its exertions, even when it met with juſt provocation, under the reign of Charles the Second, unnaturally partial to the intereſts of a rival kingdom. It was inflamed to the higheſt pitch by a dread of the Roman catholic religion; and it now found full ſcope under the auſpices of a monarch, whoſe ruling paſſion was the ſame. A deep and cordial ſympathy, in this ſingle point, firſt united William and the Engliſh nation, and afterwards preſerved that union, notwithſtanding an oppoſition of prejudices and humours, which often threatened its diſſolution. By the volun- Obſervations.

[51] Jour. Commons, March, April, July, paſſim. Addreſſes of both houſes, 24th and 25th April. War was declared againſt France by England, 7th May 1689. The United States had declared war againſt France by their manifeſto, 20th October 1688, containing their reaſons for aſſiſting the prince of Orange in his expedition to England. Spain declared war againſt France 3d May, and the elector of Brandenburg 13th April, 1689.

tary

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tary conſent of the parliament of England, to enter into his foreign connexions, and to take the lead in the war againſt France, the fondeſt wiſh of William was gratified. They who condemn continental connexions, and lament the profuſion of blood and treaſure of which they have been productive, ought to recollect, that they were the price which England paid for the revolution, and to balance their worſt conſequences, they ought to ſet over againſt them, the freedom, the proſperity, and the glory, which were the fruits of that event.

Miſunderſtanding between the king and the whigs.

If we had known nothing more of the hiſtory of this parliament, than that it had ſeated William upon the throne, and complied with the leading principles of his political ſyſtem, we ſhould hardly have ſuſpected, that it could have failed in more trivial inſtances of obſequiouſneſs, or that he ſhould have found it expedient, and even neceſſary, to put an end to it by a premature diſſolution. But the obligations, conferred upon the king by the aſcendant party in the houſe of commons, were too important to admit of that reſpect and deference, which he thought neceſſary to maintain perſonal dignity and independent authority. It is found in the private intercourſe of life, that nothing tends more to render individuals negligent, and deficient, in the diſcharge of the more important ſocial duties, than any confuſion or ambiguity in the relations, upon which theſe duties are founded. That the child owes obedience to the parent, and the private citizen ſubjection to the magiſtrate, are axioms of the law of nature and of politics. But if accidental circumſtances have perplexed the rules of ſuperiority and ſubordination, or turned the balance of obligation againſt the ſcale in which it ought naturally

rally to preponderate, the claims of ſuperiority, intricate and diſputable, are anſwered with reluctant and reſerved obedience. While the convention recogniſed William as their ſovereign, it was not poſſible for them to forget that they had put the crown upon his head, or to ſet bounds to their demands for favours from a perſon, who owed ſo much to them. While the whigs were diſappointed of that engroſſing influence in the councils of their prince, which they thought due to their meritorious ſervices, they were not reſtrained by the ſplendour of his ancient and hereditary dignity, from betraying, upon particular occaſions, expreſſions of ill humour and rudeneſs, which offended the feelings of the king, and effaced the impreſſions of their firſt ſervices to him.

The whigs did well in their plan of reforming the revenue, by diſtinguiſhing its branches, appropriating the ſupplies, and reviewing the application of them; but, in their progreſs in this buſineſs, they ſometimes adopted reſolutions which implied a diſtruſt and jealouſy of the king. The ſum appropriated to the civil liſt was not only penurious, conſidering how much it had been anticipated, but it was limited to the duration of one year, while a revenue of fifty thouſand pounds per annum was aſſigned to the princeſs Anne for life [52]. In vain did the king exert his utmoſt influence with individuals, and the queen uſe the moſt earneſt ſolicitations with her ſiſter, to prevent, or at leaſt to poſtpone a meaſure, which they conſidered as hurtful to the influence of the crown, and the union and dignity of the

[52] Journ. Commons, 26th March, 17th July, 9th Auguſt, and 30th December.

royal

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royal family [53]. The measure began with the tories; but it could not have been carried into effect, if it had not been secretly assisted, and, in public, but feebly opposed, by the whigs; and their behaviour, in this instance, so inconsistent with their professed resolutions of œconomy, and, before they had yet settled the revenue of the crown, was believed by the king, to flow from a direct intention to affront and mortify him [54],

From these symptoms of the temper of the ruling party, the king had no reason to expect either liberal support, or great success, in the prosecution of a foreign war, though he entered into it with the approbation of his parliament.

The tories flatter the king with promises of more generous treatment.

The flattering promises of the tories, made to him while his mind was chagrined with the mortification he received from the whigs, excited the hope of more generous treatment, and a more propitious issue of his affairs [55]. In the mean while, the animosity of parties, and the disagreement of the members of administration among themselves, had advanced to such a crisis, as embarrassed and obstructed the progress of public business.

Jealousy of ministers among themselves.

We have already seen, in the debates and resolutions concerning the bill of indemnity, that oblique insinuations were pointed against persons who filled the highest ministerial stations. These were afterwards brought forward in the form of an open and direct attack, not only, as might naturally have been expected, from members of opposition, but from those who were themselves in place. Mr. Howe, vice-chamber-

[53] Conduct of the Duchess of Marlborough, p. 34.
[54] Burnet.
[55] Tindal.

lain

lain to the queen, propoſed an addreſs for removing, from his majeſty's preſence and counſels, ſuch as have been impeached by parliament, and betrayed the liberties of the nation, referring to the marquis of Carmarthen, preſident of the council, and the marquis of Halifax, keeper of the privy ſeal [56]. The earl of Nottingham, together with the marquis of Halifax, was alſo pointed at by another motion, for addreſſing his majeſty, to diſmiſs from office thoſe perſons who had accepted of a commiſſion from the late king, to treat with the prince of Orange after his arrival in England. Great pains were taken to trace the misfortunes in Ireland, and particularly the abuſes in the victualling-office, to the miſconduct of the marquis of Halifax, to whom that department was committed [57]. It is hardly poſſible to find, in the worſt of times, more virulent reflections againſt the prince and his miniſters, or more lamentable complaints of the condition of public affairs, than what occur, at this period, in the courſe of the debates upon the ſtate of the nation [58]. Neither did a ſenſe of common danger reconcile miniſters to each other, or promote a temporary and external union, to enable them to reſiſt the ſhock of oppoſition under which all of them were ſtaggering; on the contrary, they were contented to bear the ſmart of wounds, which, they hoped, might prove mortal to their antagoniſts. Carmarthen, Nottingham, Halifax, though partners in power, reciprocally animated with jealouſy, were privately uſing their influ-

[56] Tindal, vol. i. p. 377.
[57] Journ. Lords and Commons, paſſim.
[58] Grey's Debates, vol. ix. paſſim.

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ence to ſupplant each other in the confidence of the king [59].

1689. Engroſſing ſpirit of the whigs.

If the whigs had been contented with a ſlow and gradual extinction of the influence of the rival party, they might long have held a ſuperior ſhare in the emoluments of office, and in the direction of public affairs, and at laſt would probably have attained to the excluſive property of adminiſtration. Irritated becauſe the king conſulted with the tories, and elated with the impreſſion they had already made by their attack upon lord Halifax, who had reſigned all his offices, they now puſhed hoſtilities with increaſing arrogance and violence, in order to render their victory complete and ſecure againſt any reverſe of fortune. All this they hoped to accompliſh, by introducing a clauſe in the corporation act, calculated to annihilate the political influence of their adverſaries. Every perſon, who had any concern whatever in the ſurrender of charters, was declared incapable and diſabled, for the ſpace of ſeven years, to bear or execute any office, or place of truſt, as a member of ſuch reſpective body corporate, where he was a member at, or before, the time of making ſuch ſurrender. This clauſe was carried by a great majority in the houſe of commons; and, what was more unexpected, it obtained the approbation of the lords [60].

Clauſe introduced into the corporation act, intended to exclude the tories from power.

Paſſes.

The king was now reduced to the neceſſity of taking a bold and deciſive ſtep. The hopes and fears of two contending factions reſted upon his reſolution. They vied with each other in the diligence of their applications, and the liberality

[59] Reresby.

[60] 2d and 10th January 1690. Grey, vol. ix. p. 510. Lords' Debates, vol. i. p. 398.

of

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of their promiſes. But the prizes for which they contended were unequal. The one ſought only the chance of power, or to preſerve the capacity of being admitted to it: the other, a monopoly, or excluſive poſſeſſion of it. Nor was the alternative of equal conſequence to the king. The queſtion was not, whether he ſhould prefer one party to another, but whether he ſhould maintain the power of a preference or a choice. If he conſented to the bill, he ſurrendered into the hands of the whigs, one of the moſt important branches of his prerogative, the free election of his ſervants. He conſulted with his confidential friends: he was perplexed and agi ated: he pondered in his mind a deſperate purpoſe. He thought of relinquiſhing a dignity which he found cumberſome and diſtreſsful. He at laſt fixed upon the reſolution of diſſolving the parliament [61]. The parliament was prorogued on the twenty-ſeventh of January, to the ſecond of April: on the ſixth of February it was diſſolved by proclamation; and a new parliament ſummoned to meet on the twentieth of March, one thouſand ſix hundred and ninety.

The king embarraſſed.

Diſſolves the parliament.

[61] Burnet. Letters of Trevor and Wharton. Dalrymple, Ap. part ii. p. 80.

APPENDIX I.

Obſervations upon the Connexion between the State of the Revenue and the Temper of Government.---Progreſſive Improvements in raiſing the Supplies, tending to the Enlargement of Liberty.

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1689. Obſervations on the connexion between the ſtate of the revenue and the temper of government.

THE large revenue of the crown after the Norman conqueſt, ariſing from the great number of manors retained by William, rendered him and his immediate ſucceſſors independent upon their people; and, conſequently, abſolute and uncontrolled in the exerciſe of their prerogative. After the temper, as well as the laws of the Engliſh, were completely ſubdued, and almoſt every idea of the Saxon conſtitution obliterated, a variety of circumſtances contributed to overturn the independence of the crown; and to ſuggeſt to the barons the deſire and opportunity of extending their privileges.

While the foreign dominions, derived from the conqueror, involved his deſcendants in perpetual wars upon the continent, the lapſe of time, and a coalition with the intereſts and habits of the Engliſh, rendered the poſterity of the Norman barons leſs mindful of the conditions, upon which their fathers had obtained their poſſeſſions, in England; and leſs zealous, about defending the rights and prerogatives of their ſovereign, in a country

a country with which they themſelves were nowiſe connected, either by affection or property.

The transfer, and ſubdiviſion of manors, rendered the claims of the crown to the military ſervices of thoſe who poſſeſſed them, more intricate and diſputable. The commutation of military ſervices into ſcutages and pecuniary aids, though at firſt more profitable to the prince, inſpired the notion of a voluntary contribution, afterwards excited the expectation of being ſolicited, and, in the progreſs of theſe ideas, of making a bargain, and ſpecifying conditions, upon which their benevolences were ſuſpended. The parliament, upon the confirmation of the great charter by Henry III., granted him a ſupply; and the king iſſued writs to the ſheriffs, to enforce the obſervance of the charter; but, at the ſame time, to ſhow that it was a bargain, he excepted thoſe who did not pay their ſupply. Hume, vol. ii. p. 9. When the ſame prince again demanded a ſupply of his parliament, he was upbraided for not having fulfilled his engagements to them, and therefore refuſed. As no prince was more engaged in war than Edward I., and more frequently obliged to have recourſe to the bounty of his ſubjects, ſo no prince, before or ſince his reign, did more for the improvement of the conſtitution, or the advancement of liberty. The laws were new-modelled, and juſtice more regularly and impartially diſpenſed. But the moſt memorable political event, in the reign of Edward I., and that to which we trace every ſubſequent improvement, was the extending the repreſentation of the people, by introducing a new order of men into the national council. The leſſer barons, originally tenants to the greater, became independent and reſpectable. The boroughs, emancipated from the oppreſſion of the barons, by

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by regal charters, began to draw ſome ſhare of the wealth of the nation to themſelves, by the culture of manufactures and commerce. From their proſperity Edward derived new ſources of ſupply. He invited them to attend in the great council of the nation; and, by the honour and conſequence he conferred upon them, allured them to contribute to the increaſe of the revenue. Hume, vol. ii. p 89, 90, &c. Hurd's Dialogues, vol. ii. p. 160.

Progreſſive improvements of raiſing the revenue, tending to the enlargement of liberty.

The hiſtory of the revenue exhibits a view of the progreſſive civilization and liberty of the people of England. The commutation of feudal, military ſervices into money, or tax, was the conſequence of increaſing wealth; and contributed to the common advantage of king and people. The money, which the king received, procured a warlike force, ſuperior in diſcipline and ſtrength to what he could have drawn, from the muſter and ſervices of his military tenants. Security from the avocations and interruptions of war encouraged induſtry and application to manufactures and trade, which, in progreſs of time, promoted a more rapid circulation, and more general diffuſion of wealth. Their wealth, ariſing from commerce, arts, and the ſubdiviſion of property, raiſed to conſequence a body of men, who before had hardly been deemed worthy of the notice and protection of the ſovereign. The commons, invited to the council, and inveſted with power and privileges, in return, contributed in large proportion to the wants of the crown, and the ſervices of the public.

There are ſome important changes, with reſpect to the public revenue, which have happened at different periods, and which are particularly deſerving of attention, on account of their influence

fluence upon the conſtitution of the government, and the manners of the people in England.

Henry II., finding the inconveniencies of the feudal inſtitutions in the time of a foreign war, impoſed a duty or ſcutage for each knight's fee, upon the eſtates of thoſe prelates who were bound to military ſervices. This example was followed by his ſucceſſors: ſcutages were afterwards extended and more frequently repeated, till military ſervices were entirely diſcontinued. Sir John Sinclair's Hiſtory of the Revenue, vol. i. p. 54.

A ſecond important revolution, in the revenue and conſtitution of England, was effected by the meaſure of Edward I., already referred to, viz. his ſummoning with the leſſer barons, the deputies of towns and boroughs, to attend upon parliament, and to contribute voluntarily to the exigencies of the ſtate. This was a great example, at an early period, of the connexion between taxation and repreſentation; and though often violated by the arbitrary exactions of his ſucceſſors, yet the precedent was remembered and urged by the commons, as their undoubted right, as often as the weakneſs or neceſſity of the crown afforded them a propitious opportunity of bringing it forward. Ibid. p. 70.

The third important alteration, with reſpect to the revenue, happened at the reſtoration, and conſiſted in the abolition of the feudal rights, ſtill reſerved to the crown. A perpetual exciſe upon ale, beer, &c. was given to it, inſtead of the incidents of wardſhip, marriage, livery, purveyance. This gave the laſt blow to feudal oppreſſion, and contributed in an eminent degree to the liberty and relief of the ſubject. At the ſame period, all arbitrary exaction of taxes was declared illegal, and aboliſhed. Ibid. p. 186.

In

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In this ſtate of things, the ſubject had attained to a very conſiderable degree of influence, and the income of the crown became more dependent, and, at the ſame time, leſs precarious. Some part of the revenue, namely the exciſe, was made hereditary; the cuſtoms, tunnage, and poundage, were alſo beſtowed for the king's life. That part of the revenue which was hereditary, and given in commutation for the ancient property of the crown, was now drawn from fixed and ſtated ſources; and delivered the crown from the great inconveniences which attended a revenue ſubjected to caſualties, ſuch as, livery, wards, &c. and delivered the people alſo from the weight of oppreſſion, of which the feudal prerogatives were productive.

Upon greater emergencies, which gave occaſion to extraordinary demands, the crown, at all times, had reſorted to the bounty or free ſupply of the ſubjects who poſſeſſed property. But ſtill, in theſe inſtances, the power of the ſubjects conſiſted, rather in a previous, than ſubſequent control. They might refuſe money in the firſt inſtance; but when they had once granted it, they had little power or influence in directing the expenditure of it. It was, however, thought ungenerous to withhold ſupply, when it was demanded by the crown, upon a plauſible pretext or urgent occaſion. Thus, after Charles had obtained grants for public ſervices, he often miſſpent, or alienated the money. Large ſums were beſtowed in penſions to members of the commons, to retain them in the intereſt of the crown. Inquiries were inſtituted by the parliament, to diſcover theſe abuſes; and to chaſtiſe thoſe perſons who were the authors or abettors of them. And, becauſe theſe inquiries were eluded and defeated, future ſupplies were denied, even in inſtances where

where the houſe of commons ſeemed bound in honour to grant them; as particularly, after they had prompted the king to enter into war with France in the year one thouſand ſix hundred and ſeventy-eight. It remained at the revolution, to advance one ſtep farther in the power of interfering with, or regulating, the public revenue, viz. not only to grant it, but to apply it; or to ſpecify the particular articles of expenditure. Nothing further appears neceſſary to maintain liberty and the public welfare. If abuſes are ſtill committed, if the extravagance and peculation of miniſters, and thoſe whom they employ, render the public burdens enormous and oppreſſive, the defect is not in the conſtitution, but in the integrity, courage, and ability, of thoſe who are appointed to be its guardians, and intruſted with the execution of the laws.

APPEN-

APPENDIX II.

King William vindicated from the Charge of Bigotry.— Evidences and Examples of his ſteady Zeal for Liberty of Conſcience.

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King William vindicated from the charge of bigotry.

"THE king," ſays Mr. Macpherſon, "ſeemed to fall into the weakneſs of his "predeceſſor, in encouraging diſſenters againſt "the eſtabliſhed church. The prejudices of "James, in favour of the Papiſts, were almoſt "equalled by thoſe of William for the Calvi- "niſts." Macpherſon's Hiſtory, vol. i. chap. 9. Of the comprehenſion bill the ſame author ſays, "His predeceſſor, in all his frantic "ſchemes of religion, could not have propoſed a "more impolitic meaſure. The conduct of "William was compared with diſadvantage to "the indiſcriminate tolerance of James, as "more ought to be expected from the former "than from the latter." Ibid.

Theſe expreſſions amount to a direct charge againſt William; that he was infected with bigotry, or an unreaſonable partiality to Calviniſm, and that the meaſures which he was prompted, through the influence of thoſe prejudices, to purſue, were inconſiſtent with wiſe policy.

There

There is not, in the whole hiſtory of William, a ſingle action that ſavours of bigotry, or wild attachment to any particular form of worſhip, or ſyſtem of religious opinions; while there are many evidences of his moderation as a proteſtant, his indulgence towards Roman catholics, and his conſiſtency and perſeverance as a friend to toleration.

Evidences of his ſteady zeal for liberty of conſcience.

When king James ſolicited his conſent to the repeal of the teſts, he declared it to be his opinion, that Roman catholics ought to be permitted the free exerciſe of their religion, but excluded from offices of public truſt. Burnet.

Upon his firſt approach to London, he gave ſtrict orders to take care of the papiſts, and to ſecure them from all violence. When he arrived there, he renewed the ſame orders. Ibid.

After his acceſſion to the throne of England, William uniformly diſcovered an anxiety to extend indulgence to all different ſects, which aſſumed the pretext or colour of conſcience. While he earneſtly wiſhed to admit moderate diſſenters into the body of the church, he exhibited an example of diſintereſted, perhaps impolitic lenity, by endeavouring to obtain an exemption from the oath of allegiance for ſuch members of the eſtabliſhed church, as deemed the oath irreconcilable with their engagements to the abdicated king. He repeatedly diſappointed the expectations, and checked the zeal, of his beſt affected ſubjects among the proteſtants, by oppoſing harſh meaſures towards the Roman catholics, which could not be carried into effect without his conſent. The lords preſented an addreſs to the king, the twenty-fifth of June one thouſand ſix hundred and eighty-nine, praying him to prohibit French proteſtants from coming to Whitehall or St. James's park, and to order all French papiſts,

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papiſts, who were not houſeholders, to leave the kingdom. To this the king replied, That, after deliberation, he found it would be hurtful to the nation to comply with this recommendation, and that as he had promiſed to protect Roman catholics while they lived peaceably, he thought fit to ſuſpend ſuch a proclamation till their lordſhips had farther conſidered it.

Many of the Roman catholics acknowledged with gratitude the moderation and tenderneſs of William's government.

But it may be aſked, Why did he change the eſtabliſhed religion in Scotland; and did not the abolition of epiſcopacy, and the inſtitution of preſbytery there, bear the evidence of a ſtrong partiality to the latter? I anſwer, That this was a matter in which he had no choice. The aboliſhing prelacy in Scotland was juſt as much a condition of his reigning there, as the aboliſhing the eccleſiaſtical commiſſion, and conſenting to all the other articles of the bill of rights, were the conditions of his reigning in England. The political ſentiments of the clergy, and of the members of the epiſcopal church of Scotland, and the part they acted at the revolution, fixed an unalterable oppoſition between their intereſt and that of the prince of Orange, and, upon the event of his ſucceſs, enſured the ſuperiority of the preſbyterians. The biſhops, clergy, and univerſities, in England, remonſtrated againſt the arbitrary meaſures of James; and, though ſome of them afterwards retracted, or did not proceed conſiſtently and vigorouſly, yet the church unqueſtionably had the merit of the firſt ſteps in that revolution which raiſed William to the throne. On the contrary, the epiſcopal clergy, in Scotland, became acceſſary to the arbitrary meaſures of

of James, by approving of them, and devoting themſelves, in the moſt ſervile terms, to honour and ſupport him, while he was in the career of enthuſiaſm. See Addreſſes of the Biſhops and Clergy of Scotland, Temp. Jac. Balcarras's Memoirs.

In England, proteſtants of all denominations concurred in the revolution, and were equally entitled to the protection and immunities which were the fruits of it. In Scotland, not only the clergy, but laity, were divided in their ſentiments concerning the revolution, according to their religious principles. The preſbyterians declared for the prince of Orange; the epiſcopals adhered to king James. Dundee and his followers were all of the latter perſuaſion. The eſtabliſhment of preſbytery in Scotland was therefore a neceſſary reſult of the ſtate of politics, and no evidence of any bigotted predilection in William for that religion. He highly diſapproved of the violent proceedings of the preſbyterians, and uſed his utmoſt influence to reſtrain them. He ſeemed particularly anxious to prevent the diſmiſſion of the epiſcopal clergy who were willing to take the oaths, though they ſcrupled to adopt the forms of the preſbyterian worſhip. Life of Carſtares, p. 43, 44, 45. He deſired, that ſuch epiſcopals as did not yield to the preſbyterian government, might have the ſame indulgence in Scotland, that the preſbyterians enjoyed in England. Ibid. p. 49.

When the original draught for the ſettlement of preſbytery in Scotland was ſent to William, after deliberating and converſing with Mr. Carſtares upon this ſubject, he dictated ſome remarks to be returned to the commons, which equally evince a ſolid judgment and a pure and delicate conſcience; particularly, inſtead of the ratification

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tion of preſbyterian government, as being the *only government of Chriſt's church* in this kingdom, he deſired that it might be qualified with the additional clauſe *as eſtabliſhed by law*. Ibid. He expreſſed great diſſatisfaction with the conduct of lord Melvill, his commiſſioner, in the Scottiſh parliament, for having exceeded his powers, from a deſire to gratify the violence of the preſbyterians. Tindal, vol. i. p. 473. See chap. xviii.

When the act for repealing the laws in favour of epiſcopacy was paſſed, it was declared, that epiſcopacy was contrary to the genius and conſtitution of the church of Scotland, for the king would not conſent to a plain and ſimple condemnation of that religion. Burnet.

A remarkable example of William's abhorrence of perſecution, and of his delicacy with reſpect to matters of conſcience, appeared upon the coronation oath from Scotland being tendered to him. When he came to repeat the clauſe in the oath, by which he was bound to root out heretics, he deſired it might be underſtood, that he did not mean by theſe words, that he was under any obligation to become a perſecutor. The commiſſioners anſwered, that the meaning of the oath did not import it. He replied, that in that ſenſe only he took the oath. Kennet.

If William really had any propenſity to favour proteſtant diſſenters, more than the church of England, he had the faireſt opportunity of doing it, by conſenting to the corporation act as modelled by the whigs, which would have greatly increaſed the political influence of the preſbyterians; and yet, rather than conſent to this, he choſe to diſſolve his parliament.

When any perſon of private ſtation ſhews himſelf to be a friend to toleration, he is often conſidered as a friend alſo to the ſect, or opinions, which

which ſtand in need of it. Vulgar minds, which know not what it is to eſteem or to love any thing, out of the narrow circle of their own party, cannot ſeparate the ideas of tolerance and approbation; whereas lenity and forbearance are conſiſtent with a very low eſtimation of the underſtanding and principles of the perſons, towards whom they are exerciſed.

But admitting that theſe obſervations acquit William of the charge of bigotry, do they not ſtill arraign the wiſdom of his policy? Was his ſcheme of comprehenſion practicable, and expedient? Did not the attempt expoſe him to ſuſpicion and cenſure, and alienate the affections of ſome of his moſt powerful friends in the church of England? Clarendon's Diary, paſſim. Publications in Somers' Collection.

If ever a plan, for the union and comprehenſion of moderate diſſenters with the church of England, could have been attempted with any probable view of ſucceſs, it muſt have been at the period of the revolution. Men are never ſo likely to diſcern the infatuation of thoſe prejudices which alienate them from their fellow-citizens, as when a participation of common dangers and deliverances has inſpired them with a deep ſenſe of the important bonds of connexion, by which they are intimately and eſſentially united. If ever there is a ſeaſon, when perſons in poſſeſſion of power may be expected to make conceſſions to a party which they have been accuſtomed to conſider as their rivals, it muſt be, when recent experience has convinced them, that the aſſiſtance and ſervices of that party are indiſpenſable to the permanent ſecurity of their own private intereſts and pre-eminence. In theſe views, the revolution preſented the opportunity for a ſcheme of union and

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and comprehenſion, which muſt evidently have contributed to political harmony, and the increaſe of national power. The clergy of the church of England were themſelves ſo far influenced by theſe conſiderations, that they had, previous to the revolution, propoſed a plan of union; and ſome of their moſt eminent members were employed in preparing conceſſions for reconciling and uniting moderate diſſenters. Oldmixon.

If the ſcheme of comprehenſion was not apparently impracticable, was it liable to any objection upon the ſcore of juſtice, or ſound policy? Juſtice and ſound policy are, it is to be hoped, inſeparably united; and the more exactly meaſures of government are conformed to the maxims of juſtice, the more effectually will national welfare, and all the purpoſes of ſound policy, which refer to that grand object, be promoted.

Is it not unjuſt and tyrannical, to lay men under political diſadvantages, when they cannot be charged with any political guilt? Does not every meaſure tending to this effect, deduce ſomewhat from the aggregate of national ſtrength? Is not the ſummit of political perfection obtained, when the members of the community, of every deſcription, ſtand preciſely upon the ſame footing, with reſpect to immunities, the diſpenſation of juſtice, and the capacity of honour and employment?

As it has been found, that the proteſtant religion, in general, has been moſt favourable to the progreſs of civilization and the extenſion of liberty, ſo it has been alſo found, that theſe effects are moſt perfect and conſpicuous, where the ſpirit and rules of proteſtant churches have been

been moſt tolerant and liberal. The ardour and perſeverance, with which William proſecuted a relaxation of the teſts, and the bill of comprehenſion, ſo far from deſerving to be branded with the cenſure of narrowneſs and bigotry, are illuſtrious evidences of that wiſdom and liberality which reflect the higheſt honour upon the human character.

CHAP. XII.

The King cenſured for having diſſolved the Convention Parliament.—Commiſſions of the Militia changed in favour of the Tories.—Many Whigs continue in Office.—The Tories moſt ſucceſsful in the Elections.—Second Parliament of William meets.—Debates concerning the Settlement of the Revenue.—Reſolutions.—Obſervations.—A Bill for ratifying the Acts of the Convention, and for acknowledging the Titles of the King and Queen, introduced by the Whigs—carried.—Bills, for abjuring King James—for ſecuring the Government—for reſtoring the Charter of London—The laſt oppoſed by the Whigs—paſſes both Houſes.—The Tories obtain a Vote of Thanks to the King, for having changed the Militia.—The Lords inſtitute an Inquiry concerning the Characters of the Officers appointed to Commiſſions in the Militia.—Bill for exacting the Forfeitures from thoſe who had accepted Commiſſions without the legal Qualifications.—Act of Grace.—State of Ireland.—Duplicity of Tyrconnel.—The Proteſtants alarmed.—James lands in Ireland.—The Parliament meets there.—Acts of Settlement and Explanation repealed.—Oppreſſive Conſequences of the Repeal.—Act for indemnifying the Proprietors to be reſtored by it.—Act of Forfeiture.—Acts fatal to the Proteſtant Clergy.—Violent Proceedings againſt the Proteſtants.---Effect of the Government of James in Ireland upon the Minds of the Engliſh.---Marſhal Schomberg ſent to Ireland---William goes there---gains a complete Victory.

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1690.

THE diſſolution of the convention parliament, which had been the inſtrument of the revolution, weakened the influence of the whigs, and was cenſured as an evidence of the imprudence, as much as of the ingratitude, of the

The king cenſured for having diſſolved the con-

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1690. Convention parliament.

the king. The premature death of the parent proves more deeply calamitous to the child, when left in indigence, involved in litigation, and threatened with the oppreſſion of a powerful, interfering intereſt. What but the continued affection and foſtering care of that party, which had put royal power into the hands of William, could defend it againſt the malignity of internal faction, and the violent attacks of foreign hoſtility [1].

Commiſſions of the militia changed in favour of the tories.

The king, unwilling to give an open and a decided preference to any party, retained at leaſt an equal number of the whigs in the offices of adminiſtration [2]. In a new commiſſion of the militia of London, the tories were preferred, almoſt to the entire excluſion of their antagoniſts: but this meaſure was conſidered as affecting parties in their religious, rather than in their civil, intereſts. The commiſſions in the militia, under the influence of thoſe who firſt adviſed the king, had been given to many of the diſſenters; and this was complained of by the friends of the church, as a mortifying evidence of his diſtruſt of their fidelity, and of his partiality to their rivals. To appeaſe their diſcontents, and to conciliate the favour of the tories, upon whoſe ſupport he was now to throw himſelf, he had found it neceſſary, during the interval of parliament, to change the lieutenancy of the militia in London. That the church might have full ſatisfaction, he referred

[1] Warrington's Impartial Inquiry.

[2] Two days before the parliament met, lords Monmouth, Warrington, and ſir H. Capel, were diſmiſſed from the treaſury; over which ſir John Lowther, a tory, was appointed to preſide. Mr. Hampden, a whig, was continued in the treaſury, and made chancellor of the exchequer. Sir Stephen Fox and Mr. Thomas Pelham, were brought into the board of treaſury: the earl of Pembroke was made firſt lord of the admiralty, in room of lord Torrington

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the new appointments to Compton, biſhop of London; who, in the ſpirit of retribution, turned out the diſſenters, and placed in their room the moſt zealous tories [3].

Many whigs continue in office.

The whigs, however much diſſatisfied with the diſſolution of parliament, did not chooſe to expreſs their reſentment by reſigning the places ſtill left in their poſſeſſion. Regardleſs, perhaps, of emolument, they might expect to avail themſelves of the influence of office for re-eſtabliſhing their party; or, moved by more liberal principles, they might think it dangerous to abandon the new government, entirely, to the management of perſons, whoſe principles were ſuſpected of being unfriendly to its ſpirit and conſtitution.

Whatever the ſentiments and wiſhes of the king might be, it was evident, that ſuperior influence in parliament muſt of neceſſity aſcertain the ſtrength of contending parties, and determine the choice of his miniſters. In the conteſts for elections, both parties deviated from a due reſpect to candour and truth, by putting the hardeſt conſtruction upon the meaſures and conduct of their opponents. The members who had voted for the corporation bill, were repreſented as friendly to republican principles, and bent on the ruin of the church. The whigs retaliated, by inſinuating that the tories were enemies in their hearts to the revolution; and, in confirmation of this charge, publiſhed liſts of thoſe members who had voted againſt the reſolution of the commons with reſpect to the abdication of the crown [4].

The tories moſt ſucceſsful in the elections.

The tories not only prevailed, in procuring a majority of members from the counties where

[3] Burnet, 1690.
[4] Ralph, vol. ii. p. 190.

their

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their natural ſtrength lay, but, ſtimulated by reſentment at the affront levelled againſt them by the corporation bill, made ſucceſsful efforts in many of the boronghs, where their antagoniſts had intended to exclude them from any capacity of influence [5].

Second parliament of William meets.

The new parliament met on the twentieth of March, one thouſand ſix hundred and ninety. The choice of Sir John Trevor to be their ſpeaker, indicated the ſuperior ſtrength of the tories, in the houſe of commons [6]. The king declared his intention of going to Ireland, and ſolicited the aſſiſtance of parliament to enable him to proſecute the war with vigour. He mentioned the importance of making the revenue a fund of credit, in order to raiſe the ſupplies more expeditiouſly. His ineffectual endeavours, for obtaining an act of indemnity in the laſt parliament, were aſſigned as the reaſon for an act of grace, to extinguiſh all differences among his ſubjects.

Addreſſes were preſented by both houſes, containing expreſſions of their thanks for his majeſty's ſpeech, and of their reſolutions to ſupport the government; and, agreeably to the tenor of his requeſt, the commons entered upon the buſineſs of the revenue and ſupply [7].

Debates concerning the ſettlement of the revenue.

Sir John Lowther introduced into the houſe of commons a motion for ſettling the revenue upon the king and queen for life, in the ſame manner as it had been granted to their predeceſſors [8]. The

[5] Burnet, 1690.

[6] "Being a tory in principle, he undertook to manage that "party, provided he might be furniſhed with ſuch ſums of mo- "ney as might purchaſe ſome votes; and by him began the "practice of buying off men, in which the king hitherto kept "ſtricter rules." Burnet.

[7] Journ. Commons, 22d and 26th March.

[8] Grey's Debates, vol. x. p. 8.

convention

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convention parliament had found that the revenue expired with the abdication of the king; the motion now made was therefore ſupported by arguments drawn from expediency, and the perſonal merits of the king. The revenue was a reward which the nation was bound, by irreſiſtible obligations, to confer upon a prince, who had reſcued them from the brink of ruin, and who was about to engage in a new ſcene of labour and danger, to extend the benefits of reformed government to the ſiſter kingdom. The reputation of England, in the eyes of Europe, was intimately connected with the iſſue of this queſtion. What foreign ſtate would either eſteem the character, or confide in the alliance, of a people, who requited ſuch a benefactor with diſtruſt and ingratitude [9]?

In the diſcuſſion of this queſtion, the whigs reſumed the arguments which had been inſiſted upon in the convention parliament; and, in anſwer to thoſe, who laid ſo much ſtreſs upon the ſervices and virtues of the prince now upon the throne, it was obſerved, that theſe were foreign to the queſtion, and tended to miſlead judgment by the influence of affection. Secure themſelves from danger, it became them, in the moſt enlarged ſpirit of patriotiſm, to erect bulwarks for the liberties of poſterity, and, in the reign of a mild and generous prince, to eſtabliſh regulations which would control the will of wicked and tyrannical ſucceſſors [10].

We are not, however, to conclude, that the ſentiments and votes of the members, in the houſe of commons, upon this queſtion, were exactly divided according to the influence of

[9] Grey's Debates, vol. x. p. 8.
[10] Ibid.

party.

party. Though the ſyſtem of the tories was more favourable to prerogative, which was either to gain, or to loſe, by the iſſue of the conteſt, and though ſome of the leaders of that party had recommended themſelves to the king by the liberality of their promiſes, yet there were others, who, impreſſed by the weight of argument, thought it of the greateſt importance to hold the crown in a ſtate of dependence upon the people; and among the whigs, a few, perſonally attached to the king, and implicitly adopting his ſentiments and views, ſeparated themſelves from their friends, who, upon ſyſtematic ground, contended for reſtrictions in the diſpoſal of the public revenue [11]. CHAP. XII. 1690.

After the debate had run out into a conſiderable length in a general ſtrain, it was with propriety reduced to order and preciſion, by diſtinguiſhing between the eſtabliſhed revenue and the occaſional ſupply, and was brought to a concluſion which ſeemed to be founded upon equity, and which provided ſufficiently for the ſupport of the royal dignity, without eſtabliſhing ſuch independence, as might render the ſovereign indifferent to the opinions and affections of his ſubjects. The principal branches of the exciſe, which had been conferred upon Charles the Second in lieu of his hereditary revenue, were ſettled upon king William. The cuſtoms were continued to him for four years, with a clauſe to make them a ſecurity for the raiſing of money towards a ſupply; and becauſe the revenue had been formerly ſubjected to heavy anticipations by the royal grants, it was now enacted, that all future anticipations of the funds ſhould expire at the death of the prince who beſtowed them. A Reſolutions.

[11] Burnet, 1690.

ſupply

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1690.

Obſervations.

ſupply of one million two hundred thouſand pounds was granted to his majeſty, for public occurrences between that time and Michaelmas [12].

Theſe were the only public meaſures in which the diſtinction of parties was leſs obvious and regular. Other ſubjects of debate, in both houſes, though often important to national intereſt, were evidently blended with the views of parties, and the iſſue of them afforded an exact criterion of their comparative ſtrength, and of their various ſucceſs. Accommodated to their peculiar circumſtances, were the different plans and weapons with which they waged their political warfare. The whigs, inferior in numbers, and declining in the favour of the court, relied chiefly upon the fortune of incidents, and endeavoured, by ſtratagem or ſurpriſe, to turn their enemies out of the ſtrong holds of power: the tories, confiding in the ſtrength of numbers, and elated with recent victory, openly proclaimed the attacks which they intended, and ſeemed to wiſh, not only to conquer, but to affront and humble their antagoniſts. Thus the whigs, under the cover of zeal for the new ſettlement, introduced ſuch bills into parliament, as reduced their opponents to the neceſſity, either of contradicting the principles they had formerly maintained, or of defending them at the hazard of loſing the favour of the court. The latter, irritated by attacks from which they did not eſcape unhurt, availed themſelves of their ſuperiority to carry many reſolutions and votes, evidently contrived to mortify their opponents. Theſe obſervations will be illuſtrated, by examples of the moſt re-

[12] Journ. Commons, 26th, 7th, 8th, 9th, and 31ſt March, 2d and 3d April.

markable

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markable debates and measures which occurred in the course of this session of parliament.

1690. A bill for ratifying the acts of the convention, and for acknowledging the titles of the king and queen, introduced by the whigs.

As the changing the convention into a parliament, however necessary, was carried with difficulty, it must naturally have occurred to the friends of the revolution, that the ratification of that measure, by a parliament regularly constituted, would be of the greatest consequence to prevent future disputes concerning its propriety, and to strengthen the present establishment. The whigs contrived, with great address, to interweave with this motion another which was less palatable to the tories, while it seemed to be recommended by a regard to the personal safety and honour of the king. A bill was brought into the house of lords for acknowledging their majesties rightful and lawful sovereigns of these realms, and for declaring all the acts of the last parliament to be good and valid [13]. The abdication of the late king voted by the commons, and the admission of the prince of Orange to the throne, independently of the right of his wife, were measures repugnant to the principles of the tories. They had taken care, however, to guard against exclusion from office, by professing such practical maxims as counteracted the poison of their political theory; for they had declared, that they would obey and serve king William, after he was seated upon the throne, with as much fidelity, as if his title had been established upon the sound foundation of hereditary succession. But now they were again challenged to enter into the field of political controversy, and to render an account of their principles to the public. A recantation of them must wound their pride, and

[13] Journ. Lords, 5th April.

shake

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ſhake their credit for integrity; adherence to them might offend the king, and ſeemed indeed to diſqualify them for future truſt and ſervices. From the difficulty of this dilemma the tories endeavoured to eſcape, by paſſing over, or by ſlightly oppoſing, the firſt clauſe of the bill which regarded the king's title, and by directing the whole force of their oppoſition againſt that part of it which eſtabliſhed the validity of the acts of the convention parliament. They contended, that it was more expedient to acquieſce ſilently in what had been already done, than to confer ſuperfluous authority upon meaſures which deviated from the common forms of the conſtitution [14]. The danger evidently ariſing from any hints of ſuſpicion concerning the lawfulneſs of an aſſembly, on whoſe authority the moſt important tranſactions reſted, together with the perſonal influence of the crown, which, in this queſtion, was exerted on the ſide of the whigs, prevailed againſt the inclinations of the party in power, and it was carried in the affirmative. The tories did not venture to incur the hazard of a ſecond defeat, by debating upon the merits of this bill in the houſe of commons. It was read twice on the day of its being preſented, and it was agreed, that it ſhould be read a third time the next day, after which, it paſſed [15].

carried.

Bill for abjuring king James,

The whigs were neither ſo well founded, nor ſo powerful, in another attempt to expoſe the principles, and thereby to weaken the influence, of their opponents. The rumour of conſpiracies, and the approaching abſence of the king, afforded ſpecious arguments for exacting the

[14] Ralph, vol. ii. Lords' Debates, vol. i.
[15] Journ. Commons, 9th April.

ſtricteſt

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25th April.

ſtricteſt teſts of loyalty. For this purpoſe, a bill was introduced in the lower houſe, requiring all perſons in office to take an oath abjuring king James. Upon this occaſion, the tories triumphed no leſs in force of argument, than in ſuperiority of numbers. They contended, that the bill of rights, the richeſt boon of the new government, had placed an inſurmountable barrier againſt any change in the oaths; that the duties of the king on the one hand, and thoſe of the ſubject on the other, were reciprocally ſtipulated, and the oaths, binding to the performance of them, expreſſed with preciſion. The conſent of the ſubject to the tranſlation of the crown was yielded, upon the aſſurance, that the oaths, as they were then fixed, were to remain the only legal teſts of attachment to the preſent king, and of being qualified to hold offices under him. The enlargement of the contract on one ſide, certainly required a correſponding alteration of the conditions agreed to on the other, and might amount to a total change of the conſtitution. What advantage could the government acquire by the oath of abjuration, that it did not already derive from the oath of allegiance; or what dangers were now impending over the nation, which could be either prevented or alleviated by any oath the moſt jealous policy could invent? If, after having ſworn allegiance to William, any perſon could reconcile it to conſcience to give aid to king James, it was not to be imagined that he would be excluded from office by ſcruples about abjuring his right. But there were many, who, having once ſworn fidelity to the prince upon the throne, would ſerve him with zeal, while, at the ſame time, they cheriſhed ſuch a refined ſenſe of probity, that it was impoſſible they could ever be tempted, by any conſideration of intereſt or danger, to ſwear

to

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to an opinion which they did not admit with the clearest apprehension, and with the full conviction of the understanding. Such persons, stigmatized and proscribed by the present government, would be under strong temptations to conspire against it, while they resigned their offices into the hands of false-hearted men, who revered religious obligations, so far only, as they contributed to their views of gain and preferment. The very proposal of a new oath was an injury to government, because it implied a conscious distrust, which tended to revive the drooping hopes of its enemies. Where you put a buttress to the building, you mark the spot of weakness and danger. By attempting to fortify the king's title with oaths unknown in any former reign, his officious friends invited more curious and elaborate scrutiny, which might spread the malignant disease of political scepticism. Of uniformity in speculative opinions no society could boast, and every experiment for this purpose, pregnant with animosity and division, remained a monument of the ignorance and temerity of those who suggested it. Unity of interest and design, the collected exertion and untainted probity of every description of citizens, constituted the strength and glory of a nation, and would be found, in the present state of England, the most powerful guardian of the reformed government, and of the title of the king attached to it [16].

rejected. The bill was thrown out by a majority of an hundred and ninety-two to an hundred and sixty-five [17].

[16] Grey's Debates, vol. x. p. 75.
[17] Journ. Commons, 26th April.

The

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The tories, aware that the rejection of the oath of abjuration would be made a pretext for infuſing ſuſpicions of their loyalty into the minds of the people, embraced the firſt opportunity to avert them, by propoſing other meaſures for the ſecurity of the preſent government. The ſuſpenſion of the habeas corpus, the moſt obvious and effectual plan for this end, afforded their opponents advantages of argument, which they were unable to defeat by influence alone; they therefore had recourſe to ſuch moderate reſolutions as were carried by the approbation of every party [18].

For ſecuring the government.

One of the moſt unexpected arrangements of parties in the courſe of this ſeſſion, was exhibited in the ſeveral queſtions and debates which related to the charter of the city of London. The whigs had acquired the higheſt merit from the firmneſs with which they had oppoſed the firſt efforts of regal uſurpation, in recalling the charters of the corporations, while the tories in general had conſented to them, and, by their ſervility to prerogative, had a deep ſhare in thoſe accumulated oppreſſions which directed the eyes of the nation towards the prince of Orange. It was moved in the houſe of commons, that a bill ſhould be brought in, for reverſing the judgment of the king's bench, in favour of the crown, againſt the city of London [19]. While this motion, originating with the tories, intimated a penitent renunciation of their ſentiments, the warm op-

For reſtoring the charter of London.

[18] Journ. Commons, 29th April. It was propoſed by the tories in the houſe of lords, that an oath ſhould be taken, not to aſſiſt king James, or any of his inſtruments, knowing them to be ſuch; and that ſevere penalties ſhould be inflicted upon all who refuſed to take it. Journ. Lords, 8th May. This bill was not carried through before the adjournment of Parliament.

[19] Journ. Commons, 8th, 22d, and 24th, April.

poſition

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position it met with from the whigs, carried the appearance of unaccountable inconsistency with the principles, on which they had formerly prided themselves.

Upon a nearer survey, it appears, that interested motives influenced the public conduct of both parties upon this occasion. The tories were anxious to engross the merit of restoring the first city in the kingdom to its privileges; and, as an acknowledgment of their services, they might reasonably expect that a preference would be given to their friends in the new election of magistrates. The whigs, foreseeing the advantages which might redound to their adversaries from this measure, but unable to controvert its essential justice and propriety, were constrained to have recourse to a refined species of argument, and to represent the redress proposed, as ensured by the inherent principles of the constitution. The very question, they said, ought to be avoided, because it conferred upon the sentence of corrupt judges a degree of authority dangerous to liberty, and disparaging to the laws of their country. To revise a judgment was, in effect, to suppose that it had obtained a legal existence. The superior courts reversed the sentence of inferior ones, because the constitution had empowered them to do so; and the rule of the law was often so obscure and perplexed, that it might be misapprehended, without any deviation from purity of intention. But, in the instance referred to, the error was wilful and perverse, because the sentence was notoriously unjust. It was also objected to the bill, that it was pushed forward with too much celerity, and was inadequate to that extension of privileges which the corporations

Opposed by the whigs.

tions were juſtly entitled to expect [20]. In order to aſſiſt this argument, a petition, in the ſame ſpirit, was preſented to the houſe by the common council of the city; but, being found to contain a claim of new privileges, it was warmly oppoſed by the tories, as invading the royal prerogative, from which the grant of them ought to flow [21]. The attempt of the whigs to obſtruct the bill in the houſe of lords, by petitioning for a delay, was alſo unſucceſsful, though it paſſed there only by a majority of two votes [22].

Paſſes both houſes.

The thanks of the houſe of commons were preſented to his majeſty, for the great care he had expreſſed of the church of England, in the late alterations he had made in the lieutenancy of the city of London [23]. This meaſure may be juſtly conſidered as the ſtrongeſt evidence of the ſuperior influence of the tories, and of the inſolent exertion of that influence. They were aware that the changes in the commiſſions of the militia, which had been directed by them, muſt have furniſhed their enemies with the juſteſt grounds of cenſure. To prevent this, they covered the meaſure with the garb of merit, by connecting it with the intereſt of the church of England.

The tories obtain a vote of thanks to the king, for having changed the militia.

An inquiry was inſtituted in the houſe of lords, concerning the characters of the perſons to whom the commiſſions of the militia had been given. In the progreſs of this inquiry, the lords reſolved to call for the evidence of ſir Robert Clayton and ſir John Treby; who, when the queſtion of thanks was under the conſideration of the lower houſe, had oppoſed it, on account of their perſonal

The lords inſtitute an inquiry concerning the characters of the officers appointed to commiſſions in the militia.

[20] Grey's Debates, vol. x. p. 58.
[21] Journ. Commons, 17th April.
[22] Journ. Lords, 13th May. Lords' Debates.
[23] Journ. Commons, 24th April.

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ſonal knowledge of the demerit, of ſome of thoſe perſons, promoted by the late alterations in the militia. This reſolution of the lords was conſidered by the commons as inſidious and unconſtitutional, by requiring them to become acceſſary to their own crimination; and as diſreſpectful to the ſovereign, by cenſuring his nomination of the militia, a right which was veſted in him by the ſtatute [24]. The lords nevertheleſs perſevered in the inquiry, till they were ſtopped by the adjournment of parliament [25].

Bill for exacting the forfeitures from thoſe who had accepted of commiſſions without the legal qualifications.

The whigs, repreſenting their own merits and claims from the nation, laid the greateſt ſtreſs upon their conduct, contraſted with that of the tories, during the laſt years of the life of Charles, and the whole reign of James. While the latter had ſupported, they had oppoſed, arbitrary meaſures: while their adverſaries had been cheriſhed and promoted, they had been diſgraced and baniſhed from the court. It is certain, however, that theſe repreſentations and pretenſions were not uniformly true, and unexceptionable. In the end of the reign of James, many of the diſſenters had been allured to accept of religious liberty, illegally tendered by the ſtretch of prerogative; and ſome of them had accepted places for which they were diſqualified by law. It appears to have been with a view to expoſe the tranſgreſſions of the whigs, that the tories now brought in a bill, for veſting in his majeſty all forfeitures incurred by thoſe, who had been in office in the late reign, without the legal qualifications; and, that none of the forfeitures might be alleviated or remitted, a clauſe was added, ordaining them to be paid

[24] Journ. Commons, 12th May.
[25] Journ. Lords, 16th, 17th, and 22d May.

into

into the exchequer, and accounted for to the public [26]. This bill, if it had taken place, muſt have affected their own friends; but the tories were willing to ſuffer in their pecuniary intereſts, provided that they could reduce the reputation of their antagoniſts to the ſame level with their own. After having paſſed the houſe of commons, it was thrice read in the houſe of lords, where ſome amendments were propoſed; but the adjournment of parliament took place before theſe were agreed to by the other houſe [27].

Act of grace.

An act of indemnity, under the form of an act of grace from the king, obtained the conſent of both houſes, and cloſed the buſineſs of this ſeſſion. Thirty-two perſons only were excepted from the benefit of it. It paſſed in the houſe of lords without any oppoſition, and was tranſmitted to the commons, with this expreſſive teſtimony of their approbation, that it had paſſed unanimouſly [28]. Though the object of the bill had been acceptable to the houſe of commons, yet this mode of notification might have been deemed reprehenſible, as a precedent for obtruding the authority of one branch of the legiſlature, in order to influence the opinion of the other. Such, however, was the diſpoſition of the commons to favour the indemnity, that though this objection did not eſcape notice, yet it was not made the occaſion of any delay, or obſtruction, to their paſſing the bill. It was only after conſenting to it, that they appointed a committee to ſearch for precedents, and to draw

[26] Journ. Commons, 13th May.
[27] Journ. Lords, 16th and 19th May.
[28] Journ. Commons, 22d May.

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up reaſons in bar of its being made an example [29].

1690. But though the whigs were ſubmiſſive in both houſes of parliament, yet their friends and partiſans through the nation loudly exclaimed againſt the act of indemnity. A torrent of abuſe was poured out on the character of the king: he was accuſed of breaking the engagements of his declaration; and of ſhaking off his firſt friends, the whigs, to employ, in their place, men who had been trained and exerciſed, in the ſchool of tyranny [30]. The king, impatient to aſſume the command of the army in Ireland, put an end to this ſeſſion of parliament on the twenty-third of May.

State of Ireland.

1689. After the convention in England, and in Scotland, had ſettled William upon the throne, great hopes were entertained, that Ireland would have ſubmitted to his authority without coercion or ſtruggle. The earl of Tyrconnel, the lord deputy, fluctuating in his reſolutions, and incapable of retaining any attachment repugnant to his intereſt, had, in the courſe of converſation with the proteſtants of the higheſt diſtinction, made advances to a reconciliation with the new government of England. Upon the faith of his ſincerity, agents had been ſent to treat with him; and it was imputed to their treachery, more than to his backwardneſs, that the title of William was not immediately acknowledged [31]. Whether it was with the proſpect of obtaining more favourable conditions, or with the inſidious deſign of amuſing expectation, and ſuſpending

[29] Journ. Commons, 22d May. Ralph, vol. ii. p. 200.
[30] Publications of the times.
[31] Apology for the Proteſtants in Ireland.

hoſ-

hoſtilities, till the arrival of reinforcements from France, Tyrconnel ſtill continued to maintain an amicable intercourſe with the proteſtants. He declared, that though he felt the indiſpenſable obligation of adhering to James, in conſequence of the truſt repoſed in him, yet he would not ceaſe to ſolicit permiſſion, either to ſurrender Ireland into the hands of William, or to reſign his office; and with the profeſſed purpoſe of carrying theſe deſigns into execution, he ſent lord Mountjoy and baron Price to wait upon king James at Saint Germains [32]. The impriſonment of lord Mountjoy in the Baſtile, without allowing him to explain the purport of his commiſſion, and the redoubled activity of Tyrconnel in levying and arming the Roman catholics, at laſt opened the eyes of the proteſtants to a ſenſe of his treachery, and of that fatal credulity into which he had beguiled them. The immenſe ſuperiority of the Roman catholics, the inveterate rancour, and vindictive ſpirit, of thoſe who had been deprived of their eſtates by the act of ſettlement, the barbarity of the lower claſſes of the people, let looſe to plunder and deſtroy, ſpread an univerſal conſternation and panic among the proteſtants [33]. With the moſt anxious importunity they implored the ſpeedy interpoſition of England, as the only means of preventing the immediate deſtruction, and the utter ſubverſion of the proteſtant religion. The extreme tardineſs of the convention in voting ſupplies, and the danger of diminiſhing the military force of England till his power was firmly rooted there, prevented William from ſending aſſiſtance to

Duplicity of Tyrconnel.

The proteſtants alarmed.

[32] Secret Conſults of the Roman Catholics in Ireland. State Tracts, T. W. vol. iii.

[33] Memoirs of Ireland.

CHAP. XII. 1689. Ireland, adequate to the exigency and expectation of his friends [34]. A great number of proteſtants

[34] It was believed by ſome, that king William neglected the affairs of Ireland, and did not wiſh to cruſh the rebellion there, in order to have a pretext for keeping up a ſtanding army, by which he might more firmly eſtabliſh his power in England. Lord Clarendon complains of the unaccountable remiſſneſs of William about the affairs of Ireland, and of his declining all converſation with him upon that ſubject. Clarendon's Diary, paſſim.

Lord Dartmouth, in his notes upon Burnet's Hiſtory, ſays, "That the duke of Leeds informed him, that Tyrconnel ſent "ſeveral meſſages to the king, intimating, that he was ready "to deliver up Ireland, if he would but give him a decent ex- "cuſe, by ſending any thing that looked like a force to demand "it. But lord Halifax told him, that if Ireland was quiet, "there would be no pretence for keeping up an army; and "if there was none, he would be turned out as eaſily as he had "been brought in." Dalrymple's App. part i. p. 342.

Notwithſtanding theſe allegations, there are both arguments and facts, which ſtrongly oppoſe the concluſions to which they lead. If the danger which William incurred was obvious and threatening, the remedy propoſed was precarious, and attended with new, and peculiar danger. The ſeparation of Ireland from England was a certain conſequence of the rebellion there, if allowed to get head. The advantages which James would derive from the poſſeſſion of Ireland, in any attempt to recover his throne, the facility with which he could animate the hopes and ſecond the efforts of his friends in England, were circumſtances which threatened the ſafety of William, and overbalanced any ſecurity he could expect from a ſtanding army. We ſhould certainly hold in deriſion the practice of the empiric, who recommended to his patient to cheriſh a diſeaſe which was preying upon the vitals of his conſtitution, in order to enſure him againſt ſome ſudden and deadly malady, which, after all, was only contingent.

The duke of Leeds, in the courſe of converſation with lord Dartmouth, might be ready enough, upon ſcanty proof, to aſcribe the miſmanagement of affairs in Ireland to the advice of lord Halifax, whom he rivalled in the favour of the king; nor, ſuppoſing that lord Halifax had given ſuch advice to William, is it evident that he purſued it.

Though

teſtants tranſported themſelves with their effects into England, and thoſe who remained, though profeſſing the ſtricteſt fidelity to James, were devoted to the inſults and rapine of furious banditti, and nothing but the undaunted reſolution of a few proteſtant towns prevented the univerſal ſubmiſſion of Ireland to the authority of James [35].

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Thus hoſtilities, in Ireland, commenced under the aſpect and form of a religious war, between the Roman catholics and the proteſtants. James, by putting himſelf at the head of the Roman catholic army, plunged deeper into thoſe crimes by which he had forfeited the allegiance of England. Depending upon ſuch an army, whatever his private inclinations might be, he was brought under the neceſſity of proſecuting meaſures which would rivet in the breaſts of his proteſtant ſubjects, impreſſions of his irreclaimable hatred to their religion. He ſeemed to be only varying his

Though the king had not entertained a ſtrong prejudice againſt Clarendon, yet his being obnoxious to that party in Ireland who had the power in their hands, and who had made it an expreſs condition of their opening a treaty with William, that he ſhould not conſult Clarendon, ſufficiently account for that reſerve and diſtance with which he liſtened to all his offers of information and advice concerning the affairs of Ireland.

The only method William could employ to prevent the rebellion in Ireland, before he obtained ſupplies from parliament, was negociation. He did actually employ this method. Colonel Hamilton was recommended as a perſon the moſt fit to treat with Tyrconnel, and as worthy of entire confidence. He was ſent to Ireland to propoſe offers to Tyrconnel, which, it is probable, would have been accepted, but Hamilton proved treacherous, and adviſed him to hold Ireland for James. Maſter Temple, ſon of ſir William Temple, who had recommended colonel Hamilton to the king, was ſo deeply affected with the conſequences of the miſtake he had committed, that he put an end to his own life.

[35] Letter of Judge Keating to Sir William Temple.

efforts

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efforts in purſuit of the ſame darling object, and endeavouring to enforce, by the ſword, that ſyſtem of ſuperſtition, to accompliſh which, by the influence of prerogative and the violation of eſtabliſhed laws, had been the ſtudy of his reign.

The weak enthuſiaſm and oſtentatious bigotry of James, after his arrival at St. Germains, counteracted thoſe generous feelings which were at firſt excited by his misfortunes and degradation, and marred the energy of thoſe reſources of aid which he derived from the interpoſition of the French king. He devoted himſelf entirely to the converſation of the jeſuits; he liſtened with implicit reſpect to their counſels, and ſeemed more ambitious to have his name enrolled as a member of their ſociety, than to be reſtored to his throne. No proſpect of honour or ſucceſs could allure the candidate for military fame to fight under the banners of a commander, who ſeemed more fit to preſide in a cloiſter, than in a camp [36]. At a time when two rival miniſters contended for ſuperiority, in the cabinet of Lewis, James, by imprudently attaching himſelf to one of them, provoked the reſentment of the other, which occaſioned the delay, and finally

[36] The following extracts from a celebrated cotemporary author, are teſtimonies of the low eſtimation in which the character of James was held at Paris:—"D'abord il alla deſcendre aux grands jeſuites, cauſa très long temps avec eux, & ſe les fit tous preſenter. La converſation finit par dire, qu'il etoit de leur ſocieté. Cela parut d'un très mauvais gout." Memoirs de la Cour de France, par la Comteſſe de Fayette, tom. ii. p. 117.

"Le depart du roi d'Angleterre pour l'Irlande, ne laiſſa pas une grande eſperance au roi de le voir remonter ſur le trone. Il n'avoit pas été de long-temps en France, ſans que l'on le connut tel qu'il etoit; ce'ſt-a dire, un homme enteté de ſa religion,

finally the diminution, of the articles of promiſed aſſiſtance [37]. CHAP. XII.

Under theſe diſadvantages, James arrived at Kinſale on the twelfth of March one thouſand ſix hundred and eighty-nine. On his entrance into Dublin, he was met by the Roman catholic biſhops and prieſts in their pontificals, bearing the hoſt, which he adored as he walked in ſolemn proceſſion to church, to offer up his thanks, according to the mode of his own religion. His firſt act of government in the city was to new-model the privy council, by diſmiſſing the proteſtants, and admitting Roman catholics in their place. 1689. James lands in Ireland. 29th April.

On the ſeventh of May the Iriſh parliament met, perfectly prepared to enter into the views of James. Lord Tyrconnel, together with the writs of ſummons, had addreſſed letters to all the electors, recommending the perſons on whom the king wiſhed their choice to fall. Theſe recommendations had ſuch influence, that a great majority of members returned were attached to the Roman catholic intereſt. In the upper houſe, out of ſixty-nine proteſtant peers, only five; and out of twenty-two biſhops, only four, had the reſolution to attend their duty; while, by the reverſal of attainders, and by new creations, the number of Roman catholic peers amounted The parliament meets there.

" religion, abandonné d'une maniere extraordinaire aux je-
" ſuites. Ce n'eut pas été pourtant ſon plus grand defaut à
" l'égard de la cour. Mais il etoit foible, et ſupportoit plutôt
" ſes malheurs par inſenſibilité, que par courage, quoiqu'il fut
" né avec une extreme valeur, ſoutenue du mepris de la mort ſi
" commun aux Anglois." Ibid. p. 148.

[37] *Ibid* p. 128. Life of James, 1690—2.

to

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to forty-two [38]. The king addreſſed his parliament in a ſpeech, declaring his purpoſe to maintain liberty of conſcience, and promiſing his conſent to ſuch laws as were for the good of the nation, the improvement of trade, and the relief of perſons who had been injured by the act of ſettlement [39].

If the proteſtants had hitherto indulged any hopes of protection and juſtice, from the ſolemn and reiterated promiſes of king James, theſe hopes were entirely extinguiſhed, by that clauſe of his ſpeech, which referred to the relief of thoſe who had been injured by the act of ſettlement. It was underſtood as a prelude to a total revolution of property.

Acts of ſettlement and explanation repealed.

The houſe of commons entered with impetuoſity on the diſpatch of a buſineſs, in the higheſt degree intereſting and lucrative to themſelves. After the right of the king had been recogniſed, a bill was brought in, for repealing the acts of ſettlement and explanation, and carried through with circumſtances of precipitancy, puerility, and rudeneſs, equally derogatory to the dignity and juſtice of the houſe [40]. When the motion for the repeal of theſe acts was made, the whole houſe reſounded with huzzas; the bill was read a firſt and a ſecond time, and committed on the

[38] Memoirs of Ireland.

[39] Journals of the parliament of Dublin.

[40] The act of ſettlement paſſed ſoon after the reſtoration. The purport of it was, to reſtore the eſtates of all thoſe perſons who had been turned out of them during the uſurpation, among whom were a great number of the friends of Charles I. It was found, that, by the execution of this act, many perſons, who had not been concerned in the Iriſh rebellion, and others, who had obtained eſtates by fair purchaſe, muſt have been diſpoſſeſſed of their property. To prevent this, the act of explanation was paſſed. State Tracts, T. W. vol. iii.

ſame

ſame day. It was moved, that the act of ſettlement ſhould be burnt by the hands of the common hangman: it was ſtyled a horrid and barbarous act; and they finally reſolved, that whoſoever alleged any thing contrary to this reſolution ſhould be deemed an enemy to his country [41].

The bill met with a full and animated diſcuſſion, in the houſe of lords, and the objections to it were ſtated with a preciſion and force, which could only have been ſlighted by the moſt hardened contempt of juſtice [42]. The repeal, in itſelf a mighty grievance, was to be carried into execution upon a plan the moſt unjuſt and oppreſſive. For though it was ordained, that there ſhould be an examination of the evidence, upon which perſons founded their claims for being reſtored to the poſſeſſion of their eſtates, yet this was to little purpoſe, while no penalty was enacted to overawe thoſe, who, without the ſhadow of right, violently diſpoſſeſſed the preſent proprietors. No compenſation was aſſigned for improvements; no time allowed for the preſent poſſeſſors to remove their ſtock; as if it had been intended that it ſhould fall into the hands of the ſucceſſors, whoſe impetuous rapacity prevented the former from ſecuring the reverſion of effects which belonged to them, according to a fair interpretation of the act [43].

Oppreſſive conſequences of the repeal.

In order to extend the range of oppreſſion, and to render it ſtill more enormous, an act paſſed, "for puniſhment of waſte upon lands reſtorable "to proprietors." It required no effort of ingenuity

Act for indemnifying the proprietors to be reſtored by it.

[41] Letter from Dublin.
[42] Biſhop of Meath's Speech.
[43] Ibid.

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nuity in the new claimant, when the ejected proprietors were poſſeſſed of ſtock or money, to deviſe fictitious charges of waſte, equivalent to their whole remaining property [44].

Act of forfeiture.

To ſuch of his majeſty's catholic ſubjects as could plead no right to ancient property, an abundant ſource of proviſion was opened, by an act of forfeiture, the moſt comprehenſive and productive, for it ordained the confiſcation of the eſtates, not only of ſuch as were openly and directly engaged in oppoſition to James, but of all the perſons who aided them, and who lived or correſponded with them. The eſtates of abſent proprietors were veſted in the king, and no exceptions made in favour of thoſe who were under age, or detained in another country by ſickneſs or unavoidable accident; and all ſuſpected perſons, who did not ſurrender themſelves to trial before the tenth of Auguſt, were to be attainted. In conſequence of theſe acts, two thouſand four hundred perſons were deprived of their eſtates; in which number were included fifty-five proteſtant peers, and eighty-three clergymen [45]. To prevent any mitigation of puniſhment by the interpoſition of the prerogative, and to remove the charge of perſonal tyranny, by puſhing matters to an extremity of violence, it was enacted, that the king's pardon ſhould be of no effect to any perſon deſcribed in the act of forfeiture, unleſs that pardon was enrolled before the firſt of November one thouſand ſix hundred and eighty-nine. To ſhut up every channel by which the ignorant might be informed of danger, or the penitent encouraged to lay hold of that ſcanty

[44] Keating's Remonſtrance.
[45] King's State of Ireland.

reſervation

reſervation of mercy which was provided by the ſtatute, it was declared treaſon to hold correſpondence with any perſon engaged in rebellion [46].

Acts fatal to the proteſtant clergy.

The parliament, having provided inexhauſtible revenues for themſelves and their Roman catholic friends, next extended their generoſity to the clergy of the Roman catholic faith. Treading in the footſteps of their ſovereign, and profeſſing to ſupport liberty of conſcience, they enacted laws which tended to extinguiſh the ſubſiſtence of the proteſtant clergy, and to deprive them of protection, in the exerciſe of their functions. Having repealed every ſtatute which ſeemed to obſtruct liberty of conſcience, under the pretext of providing equally for the clergy of every ſect, they enacted, that the tithes of the eſtates of Roman catholics ſhould be paid to the clergy of their own perſuaſion. As by the repeal of the act of ſettlement, almoſt the whole landed property devolved upon the Roman catholics, ſo the whole revenue of the church was alſo transferred to their clergy. The repeal of an act of Charles the Second, which appropriated a certain ſum out of the rents of houſes for maintaining the city clergy, completed the ſpoil of the church, and accompliſhed the ruin of the proteſtant religion, as effectually as if it had been aboliſhed by an act of parliament. Though the deſtruction of their eccleſiaſtical power muſt have been a neceſſary conſequence of the forfeiture of their revenue, yet, in order to haſten its downfal, diſſenters, of every denomination, were declared to be free from the juriſdiction of the proteſtant eccleſiaſtical courts [47].

[46] King's State of Ireland.
[47] Memoirs of Ireland.

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1689. Violent proceedings againſt the proteſtants.

The executive government caught the ſame ſpirit of oppreſſion, which dictated the reſolutions of parliament; and anticipated that ſeverity, which it was their purpoſe to preſcribe and ratify. Proteſtant churches were violently ſeized by the ſoldiers, and either put into the hands of Roman Catholics, for the performance of religious ſervice according to their own forms; or turned into garriſons and barracks, for the accommodation of the army. Soldiers quartered upon proteſtants made waſte of proviſions, and treated the families in which they reſided, with the moſt ſhocking rudeneſs and barbarity. Protections were granted upon the payment of heavy fees; but a renewal of them was required, as often as the officers of government in the diſtrict were changed; and they were frequently ſet aſide, under the pretext of frivolous informalities. Oppreſſive frauds were daily committed againſt traders, whoſe ſhips, after exorbitant fees had been paid for clearance, were ſtopped, ſearched, and deſpoiled of the moſt valuable parts of their cargoes. Proviſions and goods of every kind were rated at an arbitrary value, and the price of them afterwards paid in baſe coin, not worth above a thirtieth part of its nominal value [48].

[48] King's Appendix. James, after his arrival in Ireland, ordered a coinage of braſs or copper money, and iſſued a proclamation enjoining all perſons to receive it in payment for goods, under the ſevereſt penalties. It is ſaid, that no leſs a ſum than 960,000l. was iſſued of this coin. The oppreſſion fell almoſt entirely upon the proteſtants; it was firſt paid to thoſe who held commiſſions under the king, who were all Roman catholics. The proteſtants were obliged to part with their goods at their original value. The greateſt part of the commercial body in Ireland were proteſtants, and, therefore, the baſe money ran quickly into their pockets.

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The facts now recited are of importance, because they exhibit, more than any general deſcription can do, the features and character of that government, over which James now preſided, and may be ſuppoſed, in different views, to have operated to the ſecurity of the revolution in England.

Effects of the government of James in Ireland, upon the minds of the Engliſh.

1. Theſe ſpecimens of his government, during the ſhort period that James ſwayed the ſceptre in Ireland, ſerved to diſplay the inherent tyranny of his diſpoſition, and the irreclaimable bigotry of his principles. In Ireland he was placed in a new ſtate of probation, and under the immediate inſpection of his Engliſh ſubjects: their eyes were intently fixed upon every motion of his conduct. By reverſing the ſyſtem of his policy, by a temperate uſe of power, by the impartial adminiſtration of juſtice, the affections of his late ſubjects might have been awakened, his paſt miſconduct forgotten, confidence reſtored, and the hereditary dignity of his family maintained. But, inſtead of ſymptoms of reformation, the fleeting period of his government teems with freſh examples of perſonal weakneſs, and political miſdemeanours: enthuſiaſm and bigotry, ſuperſtition and tyranny, mark his ſteps, and confirm the diſguſt and horror of his Engliſh ſubjects. Though it ſhould be admitted, that James was not perfect maſter of his own actions in Ireland; that, in particular inſtances, he was over-ruled by the petulance of French counſellors, or the vehemence of Iriſh faction; yet the effects of his government were, in the higheſt degree, alarming to the people in England, over whom he wiſhed to reſume his dominion. Nor was it of conſequence what the private inclinations of the king might be, while they were controlled and directed

CHAP. XII. directed by influence, inflexibly hoſtile to the laws of a free and proteſtant ſtate [49].

1689. 2. The aſſiſtance of French ſoldiers, and the predominant influence of French counſellors, placed James, while in Ireland, in a ſtate of avowed enmity to his native country. His diſavowal of French influence, at the commencement of his reign, had almoſt entirely aboliſhed the ſuſpicions and prejudices which had diſturbed the minds of the people, upon the diſtant proſpect of his ſucceeding to the throne. After he had loſt credit for theſe declarations, their attachment began to decline, and the well known antipathy of the prince of Orange to France, more than all his other illuſtrious qualifications, recommended him to popular favour, and enſured the ſucceſs of his expedition. The declaration of war againſt France, which was the conſequence of his elevation to the throne, reconciled the hearts of many in England to a revolution in government, which they at firſt diſliked. The friends of France, whoever they were, neceſſarily became the enemies of England. With regard to James and William, perſonally conſi-

[49] In confutation of the apology for the conduct of James, aſcribed to the influence of thoſe who adviſed him, it may be obſerved, that certain arbitrary exertions of the prerogative, in oppoſition to the opinion and intereſt of his counſellors, indicated his innate temper and diſpoſition.

While his parliament, obſequious to his commands, was yet ſitting, he levied by his proclamation 20,000l. per month, for the ſpace of three months, upon all chattels and perſonal eſtates; and he was much diſpleaſed becauſe his power to do this, was called in queſtion. He diſcovered great partiality in deciding upon matters of diſpute between Roman catholics and proteſtants. He often broke faith with the latter, and was ungrateful to ſome of the proteſtant biſhops and nobility, who had invariably adhered to his intereſt.

dered,

dered, the affections of many might remain in a ſtate of neutrality, or fluctuation; but, conſidered in the relation in which they ſtood to the mortal enemies of England, all deliberation and ſuſpenſe were at an end. CHAP. XII. 1689.

3. The unprecedented barbarity with which the proteſtants were treated by the united armies of James and France [50], the courage and the perſeverance, with which they defended themſelves againſt ſuperior numbers, and ſuſtained unparalleled hardſhips, recommended them to general ſympathy and admiration. Their ſupplications, long diſregarded, became more clamorous and urgent, united the ſentiments of all parties in England, made a deep impreſſion upon the hearts of the people; and conſtrained the parliament, which had been long dilatory, to take vigorous and effectual meaſures for the relief of Ireland. Had James conducted himſelf there with moderation and impartiality, he might ſoon have become maſter of that kingdom; and would have contended, with great advantage, for the recovery of his authority in England, when perſonal diſappointments and political animoſities began to looſen the affections of the people from their new

[50] The marſhal Roſene, who commanded the French army under James, ordered all the inhabitants within thirty miles of Londonderry, not excepting children, the diſeaſed, the aged, and women with child, to be collected and driven before the walls of Londonderry, where they remained without food many days. Theſe amounted to the number of four, ſome authors ſay, of ſeven thouſand. Several hundreds periſhed through hunger and cold on the ſpot; and thoſe who returned home, ſoon met with the ſame fate, their houſes and all the country round being plundered. Orders were iſſued for deſtroying the houſes and mills, not only of thoſe who were in actual rebellion, but of all their relations and friends. King's State of Ireland.

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sovereign. But the outrageous violation of juſtice ſtamped upon every meaſure of the Iriſh parliament, the examples of bigotry and of an arbitrary ſpirit, flowing from the ſpontaneous inclination of the king, and, above all, the enormous cruelties, perpetrated by the Iriſh army, inſpired a general horror at the apprehenſion of his return, and animated the exertions of all parties to drive him from the vicinity of England.

Marſhal Schomberg ſent to Ireland.

The neglect and miſmanagement of the affairs of Ireland had furniſhed conſtant topics of declamation againſt the king's miniſters, during the exiſtence of the convention parliament. After unaccountable delays, marſhal Schomberg ſailed from England in Auguſt one thouſand ſix hundred and eighty-nine, with about ten thouſand men, for the relief of Ireland. The neglect and treachery of agents, hitherto complained of, were ſtill conſpicuous in the deficiency of carriages, proviſions, and every accommodation for the field. The want of diſcipline in the Iriſh troops, the indolence, diſobedience, and extortion, of officers, and the great ſuperiority of the enemy, obliged Schomberg to purſue the plan of a cautious and defenſive war, and expoſed him to unmerited reproach. Diſeaſe, the conſequence of bad proviſions, ſwept away a great proportion of the Engliſh army during the winter [51]. All theſe circumſtances determined king William to put himſelf at the head of the army in Ireland. He arrived there on the fourteenth of June, one thouſand ſix hundred and ninety; and embraced

William goes there,

[51] Schomberg's Letter to William, Dalrymple, Ap. part ii. p. 43. When William went to Ireland, his army conſiſted of thirty-ſix thouſand men, including Engliſh, French, and Germans.

the

the firſt opportunity after his arrival, of engaging the enemy. By a complete victory at the Boyne, on the firſt of July, one thouſand ſix hundred and ninety, he turned the tide of ſucceſs in favour of the proteſtants [52].

1689. and gains a complete victory.

James, with that precipitate deſpair which marked his character, abandoned his friends in Ireland. The complete reduction of that kingdom was a tedious and difficult work. The obſtinate bravery of the Roman catholic nobility, ſeconded by the ſkill of the French officers, protracted the Iriſh war till the ſurrender of Limerick, on the third of October, one thouſand ſix hundred and ninety-one.

[52] Story, p. 78.

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A Seſſion of Parliament.—Addreſſes of both Houſes to the King and Queen.—Unanimity of the Commons—Cauſes of this.—A Queſtion, whether the Royal Pardon bars Impeachment, moved in the Houſe of Lords.—Declaratory Act concerning the Power of the Commiſſioners of the Admiralty.—Supplies.—Bill for appointing Commiſſioners of Public Accounts—for raiſing Money for the public Service out of the forfeited Eſtates.—Parliament adjourned.—Obſervations upon the Interference of England in the Affairs of the Continent.—Merit of William in forming the Grand Alliance.—He attends the Congreſs at the Hague—returns to England—goes back to Holland—takes the Command of the Army.—Short View of the Campaigns 1690 *and* 1691.*—Cauſes of Change in the Sentiments and Temper of the People, and Parties in England.—The Reduction of Ireland—Great Expence—and ill Succeſs of the War.—Jealouſy of the King's Partiality to the Dutch.—Unfavourable Views of the Conditions upon which the confederate Powers had united—and of their Strength.—Loſſes ſuſtained by the trading Part of the Nation.—Diſaffection of many of the Members of the Church.—Third Seſſion of the ſecond Parliament.—Backwardneſs of the Commons in granting Supplies—their Ill-humour.—Supplies granted.—Inquiry concerning the Inactivity of the Fleet.—Bills to check Abuſes in the Revenue and public Offices.—The Influence of the Tories augmented by a farther Change of Miniſtry in their Favour.*

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1690. A ſeſſion of parliament.

ANOTHER ſeſſion of the ſecond parliament of William was opened on the ſecond of October one thouſand ſix hundred and ninety. The king mentioned his ſucceſs in having reduced Ireland to ſuch a condition as to be no longer a charge

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charge to England; he hinted at the deficiency of the ſupplies, by praiſing his army for having patiently endured great hardſhips with little pay; he expreſſed his zeal for the public good, by ſubjecting his revenue to the expences of the war; and he alluded to a late alarm, occaſioned by the French fleet upon the coaſt of England, in order to excite them to grant liberal ſupplies. He prepared them for extenſive demands, by reminding them of large arrears due to the army, and the ſupplies neceſſary for its future maintenance, and that of the navy, neither of which could admit of any reduction. He repreſented the whole ſucceſs of the confederate army as depending upon the ſpeed and vigour of the meaſures taken by them. The affections of the people, diſplayed by their ready ſervices while the French fleet was upon their coaſt, and in the courſe of his late expedition, he conſidered as a happy omen of the temper of their repreſentatives. He expreſſed a deep concern for the miſconduct of the fleet, and a deſire of ſeeing the honour of the nation vindicated, by the exemplary puniſhment of the guilty [1].

[1] The French fleet appeared on the coaſt of England 20th June 1690, before that of England was prepared to receive it. Lord Torrington, the commander, not being a match for the French, returned to Portſmouth to obtain a reinforcement of men and ſhips. Great was the alarm of the nation; a conſpiracy of the jacobites was ſuſpected. The queen, after adviſing with the navy board, ſent orders to Torrington to engage the French. He engaged them accordingly off Beachy-head, on the 30th of June, and, after having ſuſtained conſiderable loſs, was forced to retreat. The Engliſh loſt two ſhips. Three Dutch ſhips of the line were ſunk during the engagement, and they were obliged to ſet fire to three more, to prevent their falling into the hands of the enemy. Many brave officers and ſeamen fell in the engagement.

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Both houſes teſtified great ſatisfaction with his majeſty's ſpeech, and agreed upon preſenting ſeparate addreſſes to the king and queen. Their addreſſes to the king were full of congratulations upon his ſucceſs in Ireland, of aſſurances to aſſiſt him, and to ſupport the government againſt all his enemies. To the queen, their addreſſes were expreſſed in terms of the moſt flattering applauſe: by her prudent adminiſtration internal peace and quiet had been maintained, while the nation was threatened with the invaſion of a powerful enemy; and, by her exemplary compoſure, amidſt alarming dangers, ſhe had ſuſtained the courage of her ſubjects, and animated them to the moſt ſpirited and ſucceſsful exertions [2].

Addreſſes of both houſes to the king and queen.

Unanimity of the commons.

No ſeſſion of parliament, in the courſe of this reign, diſcovered greater unanimity, loyalty, and liberality, than that which now comes under our obſervation [3]. The decided ſuperiority of the tories over the whigs, in all their conflicts during the preceding ſeſſion, had damped the ſpirit of enterpriſe in the latter, and ſuggeſted to them the wiſer policy of endeavouring to regain power by conceſſion and complaiſance, rather than by open and violent oppoſition to the meaſures of the court. A conſiderable proportion of offices were ſtill left in their hands, and ſome incidents encouraged them to hope, that, by a gentle and natural progreſſion, their influence in the cabinet might again prevail, and be eſtabliſhed. Lord Godolphin, who now began to aſſociate with the leaders of the whigs, was placed at the head of the treaſury, in the room of ſir James Lowther. Sir

Cauſes of this.

[2] Journ. Lords, 6th, 7th, and Journ. Commons, 8th October.

[3] Letter of Burnet to Mr. Johnſon, 14th October 1690

John

John Somers held the office of ſolicitor general, and, by his abilities and virtues, was every day gaining upon the confidence of the king. The whigs had lately augmented their ſtock of merit, and ſtrengthened their claims to royal favour, by the readineſs and liberality with which they had ſubſcribed to the public ſupplies, while their antagoniſts, preferred to them in truſt and office, diſcovered either want of confidence in the ſtability of the preſent government, or want of attachment to it, by being averſe to truſt their properties in the funds [4]. They enjoyed alſo a ſplendid triumph, by ſtill maintaining ſuperior influence in the city of London, notwithſtanding the popular and powerful engines which the tories employed to wreſt it out of their hands, by reſtoring the charter of the city, and diſpenſing the favours of the court. The office of mayor, the moſt honourable, and that of chamberlain, the moſt lucrative in the city, were filled by Pilkington and Robiſon, both diſtinguiſhed partiſans of the whigs. Galled by this diſappointment, the tories in the common council addreſſed the commons in a petition, repreſenting that the election of Pilkington and Robiſon had been effected by violence, and illegally maintained againſt ſome of their own friends, who had a majority of voices in their intereſt. This petition did not meet with any countenance from the court, and, while the neglect of it by the commons was interpreted as a grateful acknowledgment of the recent ſervices of the whigs, it was, at the ſame time, conſidered as a prelude to their return to favour and power [5].

[4] Ralph, vol. ii.

[5] Journ. Commons, 11th December.

The

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The panic, which pervaded the nation upon the immediate proſpect of an invaſion, if it did not unite parties in affection, at leaſt promoted external tranquillity, by inducing them to ſuſpend their animoſities, and to concur in the moſt effectual meaſures for ſupporting government; nor does it ſeem probable, that the ſame unanimity would have been obtained, if the whigs at that time had engroſſed the chief offices of power. The tories, by entering into adminiſtration, became bound, by the ties of intereſt as well as of honour, to ſupport a government, to which, perhaps, they were but feebly attached by principle or affection. The whigs, though depreſſed in political influence, and diſaffected to the principal members of adminiſtration, ſtill maintained a ſupreme reſpect for that ſettlement which they had erected in conformity to their principles, and they did not chooſe to weaken it by a contentious oppoſition to the men whom they diſliked.

A queſtion whether the royal pardon bars impeachment, moved in the houſe of lords.

The few topics of diſpute, and the diviſions which attended them, in the courſe of this ſeſſion, proceeded from perſonal animoſity, rather than from the prejudices, or concerted ſcheme, of any party. The great ſhare of influence which the marquis of Carmarthen poſſeſſed, both under the former and preſent adminiſtration, was offenſive to every party, and awakened the remembrance of demerit, which had been ſcreened from public reſentment by an unprecedented ſtretch of the prerogative. Under this impreſſion a queſtion was moved in the houſe of lords, Whether impeachments were extinguiſhed by an act of grace? A committee was appointed to inſpect the journals for precedents; and, though none contained in their report could be applied, with ſtrict propriety, to the caſe of the marquis, a warm debate enſued. The deſign of his enemies

mies was defeated, and the queſtion eventually decided in his favour, by the houſe having conſented, while it was yet depending, to releaſe from their bail the earls of Saliſbury and Peterborough; who, upon the ſame principles which applied to the caſe before them, muſt have been excluded from the benefit of indemnity; becauſe they lay under an impeachment, for having been reconciled to the church of Rome [6].

Declaratory act concerning the power of the commiſſioners of the admiralty.

The defeat of the united fleets of England and Holland, was a ſource of great mortification to the king, and drew his ſevereſt diſpleaſure upon lord Torrington, who had been examined by the privy council, and committed to the Tower, before the meeting of parliament. To pave the way for his trial by a court martial, which was reckoned a more expeditious and effectual method of proceeding againſt him, than an impeachment by the commons, a declaratory act was paſſed, to remove any doubt, with reſpect to the power of the commiſſioners of the admiralty to appoint a court martial [7].

Supplies.

Four millions were voted for the ſervice of the army and navy; the largeſt ſum that ever had been granted to a king of England. Twenty-ſeven new ſhips were added to the navy; ſeventeen of them of eighty guns, and ten of ſixty.

[6] Journ. Lords, 9th, 30th October.

[7] Journ. Lords, 30th October, and Commons, 30th October, 7th November. Lord Torrington was unanimouſly acquitted by a court martial. All the admirals who ſerved under him were of opinion, that they were too weak to engage the French fleet, which conſiſted of twenty ſhips more than the Engliſh and Dutch. In the engagement he had ventured as far as he could do, without expoſing the whole fleet to imminent danger. He nevertheleſs fell under the diſpleaſure of the king; a remarkable evidence of his partiality to the Dutch, whoſe fleet was moſt expoſed, and ſuffered moſt.

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ſixty [8]. For the honour of the tories, it may be obſerved, that they were diligent in contriving meaſures to chaſtiſe and correct the abuſes committed in the management of the public revenue, which had now ariſen to the moſt enormous pitch. A committee was appointed to examine and conſider all the eſtimates and accounts relating to the army, the navy, and the treaſury; and a bill was introduced to appoint commiſſioners for the ſame purpoſe, which paſſed alſo in the houſe of lords, with an amendment [9]. To relieve the nation in part, from thoſe heavy burdens which were the conſequence of the war, a bill was brought in for raiſing one million out of the forfeited eſtates in Ireland. The many difficulties ariſing from the complicated claims of creditors and heirs who had been faithful to government, as well as the inclinations of the king, who wiſhed to ſubdue, by generoſity, the affections of the Iriſh rebels, and to reward the diſtinguiſhed ſervices of his friends, out of theſe eſtates, all concurred to obſtruct the progreſs of this bill, and to prevent its paſſing before the end of the ſeſſion. The king, impatient to viſit the continent, where the moſt important tranſactions required his advice and influence, expreſſed his deſire that parliament ſhould adjourn on the fifth of January one thouſand ſix hundred and ninety-one.

Bill for appointing commiſſioners of public accounts. 25th October. 26th December.

For raiſing money for the public ſervice out of the forfeited eſtates. 17th October.

Parliament adjourned.

A new

[8] Journ. Commons, 24th December.

[9] It was moved in the houſe of lords, that, as the commons had named none but members of their own houſe, the lords ſhould add ſome of their own number. This was accordingly done by ballot; but none of the lords to whom the appointment fell would agree to accept. Tindal, vol. ii. p. 113.

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1691.

Obſervations upon the interference of England in the affairs of the continent.

A new and more extenſive ſcene of political hiſtory now opens to our view. The connexion formed between England and Holland, in conſequence of the revolution, deeply involved the former in continental alliances and tranſactions, which have produced the moſt important and permanent change in the political ſtate of the Britiſh empire. The view of obtaining the acceſſion of England to the grand confederacy may fairly be conſidered, as the chief motive which induced the prince of Orange, to enter into a correſpondence with the leaders of oppoſition to the arbitrary meaſures of the court, and afterwards to embark in the plan of changing the government. No ſooner was he ſeated on the throne of England, than he turned his attention to the directing that grand alliance, which was formed under his wiſe and animating counſels. The deep interference of William, as king of England, in the political tranſactions of the continent, was neither repugnant to the inclinations, nor inconſiſtent with the true intereſts, of his ſubjects at that period. Whether this interference, on the whole, has not been highly pernicious to their poſterity, by introducing a ſyſtem of politics, which in many inſtances has been purſued to exceſs, and with unaccountable extravagance, is a queſtion foreign to the ſubject of this hiſtory.

Merit of William in forming the grand alliance.

The prince of Orange, inſpired with an early indignation at the ambitious views of Lewis, devoted all his talents and application to thwart them, and to prevent the miſeries which were impending, not only over his native country, but over all Europe. No offers of perſonal aggrandiſement made by Lewis could ſhake the firm purpoſe of his mind, to oppoſe the ambition and humble the pride of that monarch. If this reſolution was an evidence of his courage and patri-

otiſm,

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otiſm, ſo the meaſures by which he endeavoured to carry it into effect, afforded a ſtriking example of his ſagacity, in comprehending the political intereſts of Europe, and penetrating into the characters of individuals. He opened the eyes of ſurrounding princes to a true ſenſe of their intereſt: he impreſſed them with a lively apprehenſion of remote dangers: he ſeparated, from the alliance of France, the powers who had been attached to her by ancient and hereditary connexions: he reconciled ſtates hoſtile to each other: he aſcended at laſt, by his talents and perſeverance, to the uncontrolled and abſolute direction of the political ſyſtem of the continent. His ſucceſs in accompliſhing the revolution in England, however glorious to himſelf, and important to the Engliſh nation, ſtill yielded to the fame, the dignity, the extenſive uſefulneſs which he acquired, by aſſociating, inciting, and directing that powerful confederacy, which curbed the ambition of Lewis, and maintained the independence of Europe. The former of theſe events, indeed, differs from the latter, as a part from the whole. The deliverance of England, intereſting as it was in itſelf, became ſtill more extenſively beneficial, and more illuſtriouſly meritorious, as it augmented the ſtrength of the grand alliance; and eſſentially contributed to its ſucceſs.

He attends the congreſs at the Hague.

A few days after the parliament was prorogued, William embarked for Holland, to meet the congreſs of the allies, and to concert plans for the accompliſhing the object of their union. On the firſt of February he made his entrance into the Hague, with circumſtances of external ſplendour and magnificence, which rather deviated from his habitual ſimplicity and reſerve [10]. He attended

[10] Monthly Mercury, March 1691.

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attended the aſſemblies of the States General, of the States of Holland, and the Council of State; and, in ſeveral ſpeeches to them, he gave an account of his paſt ſucceſs, and of his future views; and profeſſed a zealous attachment to the welfare of the republic. He next attended the diet of the congreſs, wherein he repreſented the formidable condition of France, which could be reſiſted only by cordial union, ſtrong armies, and vigorous meaſures. The quotas of troops to be furniſhed by the ſeveral confederate States were ſpecified; and the operations of the campaign determined [11]. After the king had viſited the army at Hall, and appointed the general officers, he returned to England, where he was employed, for a ſhort interval, in giving inſtructions concerning the fleet, the conduct of the war in Ireland, and the appointment of proper perſons for ſupplying the biſhoprics which had become vacant, in conſequence of the late incumbents having refuſed to take the oaths to government. On the ſecond of May, he returned again to Holland, to aſſume the command of the confederate army. The plan of this work does not admit of a minute detail of military operations: it is however neceſſary to remind the reader of their coincidence in point of time, and their concurring influence with thoſe political meaſures which are the chief object of my inquiry.

13th April. Returns to England.

Goes back to Holland, and takes the command of the army.

The balance of ſucceſs in the campaign of one thouſand ſix hundred and ninety had been againſt the allies. The duke of Savoy had raſhly engaged the French army at Saluſſes, under the command of marſhal Catinat, and was defeated; after which, ſeveral towns in Italy fell into the hands of

Short view of campaigns 1690-1.

Auguſt.

[11] Monthly Mercury, March 1691.

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of the latter. In Flanders, the allied army ſuſtained a prodigious ſhock, in the battle of Flerus, in which four thouſand men were killed, and as many made priſoners by the French [12].

1690. July.

The preſence of William, in the campaign one thouſand ſix hundred and ninety-one, did not produce any change of fortune in favour of the confederates. Succeſs ſtill attended the French arms almoſt in every ſcene of the war. The king of France opened the campaign in Flanders with the ſiege of Mons; and, by his ſucceſs in reducing it, gratified his own vanity, and raiſed the ſpirits of his troops. At the commencement of the campaign, the duke of Luxembourg, the French general, made himſelf maſter of Hall, a place which the confederates had ſtrongly fortified; and afterwards he dexterouſly eluded every invitation and artifice of king William, at the head of a ſuperior army, to bring on a general engagement. After the king left the army, Luxembourg made an unexpected attack upon the confederates commanded by the prince of Weldeck, and cut off a thouſand of their men at Leuſe. In Italy, Villa Franca, and the forts of Saint Auſpice and Mont Alban, ſurrendered, without reſiſtance, to a detached party under Catinat. The inhabitants of Nice, in oppoſition to the remonſtrances of the governor, admitted the French troops into the city, and afterwards obliged the caſtle to capitulate. Villena, Carmagnola, and other places of inferior ſtrength, ſoon ſhared the ſame fate, and ſurrendered to the enemy. The duke of Schomberg retrieved, in ſome meaſure, the honour of the confederate arms in Italy, by driving the French troops

March.

April.

May.

Sept.

March.

March.

July.

[12] Life of William, vol. ii. Hiſt. de France, tom. iii.

troops from Turin and Coni. At the laſt of theſe places, the French are ſaid to have loſt three thouſand men. Carmagnola was alſo retaken by prince Eugene. The caſtle of Mount Melian ſurrendered to Catinat, after ſtanding a ſiege of two months. None of the allies ſuſtained greater diſgrace and injury than the king of Spain. The duke de Noailles, with an army inferior to the beſieged, obliged Urgel, in Catalonia, to ſurrender at diſcretion, made priſoners of all the troops that defended it, and afterwards made incurſions into Arragon. Marſhal d'Eſtrees bombarded Barcelona, ſet fire to ſeveral places in the town, and deſtroyed the arſenal and ſtorehouſes. No material ſucceſs diſtinguiſhed either of the armies upon the Rhine. In Hungary only, a quarter in which England and the reſt of the confederates were leaſt concerned, the arms of the emperor proved ſucceſsful. He attacked the Turks in their camp, which he took, with all their cannon, and a great part of their army. He afterwards laid ſiege to Great Waradin, which ſurrendered, after a blockade of ſeveral months. Some thouſands of ſoldiers, and many officers of rank, were cut off in both armies during the campaign, by a violent, contagious diſeaſe. The allies, eſpecially the emperor, ſuſtained a great loſs in the death of the elector of Saxony [13].

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1690. July. October. Dec. 1691. June. July. 1692.

In the interval between the ſecond and third ſeſſion of this parliament, ſeveral events occurred, which produced a conſiderable change in political affairs, and in the ſentiments and temper of parties

Cauſes of change in the ſentiments and temper of the people and parties in England.

[13] Life of William. Hiſtoire de France, tom. iii.

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1691.

The reduction of Ireland.

ties in general. So long as Ireland continued in a ſtate of rebellion, the revolution, and all the benefits which England derived from it, ſeemed to reſt upon a feeble and tottering baſis. Upon the death of William, or the occurrence of any internal commotion in England, a powerful army in the neighbouring kingdom, devoted to the ancient royal family, and reinforced by the aid of France, would have found little difficulty in reſtoring the ſcepter to James; an event, thought of with horror by all thoſe who had taken an active part in depoſing him. Under theſe apprehenſions, the reduction of Ireland appeared eſſential to complete and ſecure the revolution in England, and, after a ſhort pauſe, was proſecuted by all parties with cheerfulneſs and liberality. When this cauſe of national fear was removed, parties began to reſume their ancient animoſities, and to confound the public intereſt with private views of reſentment and ambition [14]. Some, who thought their ſervices had not been ſufficiently rewarded by the king, as well as others who had been entirely neglected by him, watched every opportunity to work upon the jealouſy of the nation, by bringing diſcredit upon his character, and the meaſures of his government. The expeditious termination of the Iriſh war appeared to the king an object of ſuch moment, not only upon account of the internal ſecurity of England, but the ſucceſs of the foreign war, that he had inſtructed his generals, after the battle of the Boyne, to encourage the rebels to lay down their arms, by offering them the moſt favourable terms, rather than to riſk the dangers and expence of another campaign. Hence the indulgences

[14] Burnet, 1691.

CHAP. XIII.

indulgences granted to the Roman catholics upon the ſurrender of Limerick, perhaps not leſs wiſe than liberal, were maliciouſly ſeized upon, to impeach the prudence and juſtice of William, and to alienate the confidence of his proteſtant ſubjects. The confirmation of their property to ſuch a comprehenſive deſcription of the Roman catholics as were included in the terms of the peace, was a grievous diſappointment to many, whoſe imaginations had rioted in the ſpoils and eſtates of the Iriſh rebels. A more colourable, and diſintereſted objection to this article, was founded upon its withholding that proportion of ſupply ariſing from forfeitures, which patriotic œconomy had deſtined to alleviate the heavy burdens laid upon England for defraying the expences of the war [15].

1691, 5th October, 1691.

Great expence and ill ſucceſs of the war.

The expence of a foreign war, overlooked and under-rated in the precipitancy with which the nation had ruſhed into it, from the recent impreſſions of gratitude to their deliverer, was now found to ſwell, out of all proportion, to the value of any acquiſitions which could be expected from its moſt fortunate concluſion. The ſucceſs of the French fleet, mortifying in an extreme degree to England, had firſt alarmed, and afterwards left a depreſſion upon the ſpirits of the nation. By that event, it was ſaid, the eyes of the king and his miniſters might be opened to diſcern their paſt errors, and inſtructed with reſpect to the proper plan of conducting the war in future, ſo long as England lay under the neceſſity of continuing it. Inſtead of tranſporting armies beyond ſea, and maintaining them at an immenſe expence in a foreign camp, the navy, the natural ſtrength

[15] Higgons' Short View. See chap. xviii.

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ſtrength and bulwark of England, ought to be augmented, and the principal exertions of the nation confined to the ſea. By this plan, expence would be diminiſhed, trade would be protected, and the money, expended in the war, would return and circulate among the people from whom it originally flowed [16].

Jealouſy of the king's partiality to the Dutch.

But, above all, that jealouſy of the Dutch, which commenced with the acceſſion of William to the throne, was inſidiouſly cheriſhed, not only by the diſappointed, but by ſucceſsful candidates for power, and diſpoſed the people to liſten with too much avidity to every complaint and miſrepreſentation, calculated to gratify its malignant ſpirit, and to increaſe diſaffection to the king and his miniſters. It was ungenerouſly inſinuated, that, having lately begun to vie with the States in the extenſion of their commerce, the Engliſh had been ſeduced into the war by the king, on purpoſe to interrupt their proſperous career, and to eſtabliſh the Dutch in a permanent and unrivalled ſuperiority [17]. With more regard to candour and to truth, it was obſerved, that the war, ſhould it even anſwer the moſt ſanguine expectations of thoſe who approved it, muſt principally redound to the benefit of the States. While ſelf-defence conſtrained them to reſiſt the uſurpations

[16] The tonnage of Engliſh ſhipping at the revolution amounted to 190,533, which, at the rate of twelve mariners to every 200 tons, required only 11,432 ſailors. This may account for the difficulty king William found in manning the fleet, and is an apology for his laying the ſtreſs upon a land war. Chalmers' Eſtimate of the comparative Strength of England, p. 57.

There is no doubt, that the number of men in the Engliſh fleet during the war amounted ſometimes to 30,000 or 40,000, from which we are led to infer, that the fleet muſt have been manned with landmen in the proportion of two or three to one.

tions of the French king, it was alſo obvious, that ſucceſs would enable them to enlarge and fortify their frontiers, and more effectually ſecure their future independence; whereas, upon the part of Britain, it appeared a romantic and far-ſighted providence, to launch into an expenſive war, becauſe ſhe might herſelf one day be marked out as an appendage to the overgrown empire of France. If ſuch cautious and prophetic policy were to be generally adopted, the contagion of war would ſubmit to no limitation, or reſtraint, and the frivolous quarrels of petty ſtates would embroil ſurrounding kingdoms, and be held a ſufficient cauſe for ſetting the world in flames [18].

Unfavourable views of the conditions upon which the confederate powers had united,

The articles agreed upon by the confederate princes of the Congreſs, over which William preſided, furniſhed new grounds of oppoſition to the war, and the means neceſſary for carrying it on. To perſons, unacquainted with the refinement and myſtery of political ſchemes, it appeared a contradiction to the ſpirit of the revolution, and the principles which William had always profeſſed, to find him ſolemnly bound with Roman catholic princes, to join their forces and powers againſt Lewis, till he ſhould make reparation to the holy ſee for whatſoever he had acted againſt it, and till he had annulled all his infamous proceedings againſt Innocent XI [19]. Other articles, agreed to at the Congreſs, ſeemed officiouſly to interfere with the internal policy of France, and to be ſo affronting to the dignity, and ſo intruſive upon the prerogatives of Lewis, to which his people were attached by the ſtrongeſt affection, that they never could be expected to

[18] Warrington.
[19] Article 1.

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ſubmit to them, unleſs they were reduced to extreme weakneſs and deſpair [20].

The events of the war in the courſe of two campaigns, if they did not afford ſtrong arguments for deſpairing of final ſucceſs, yet entirely overthrew thoſe high expectations which had encouraged the nation to enter into it.

and of their ſtrength.

A variety of objections were circulated, to contradict the favourable opinions which the people had entertained concerning the force of the confederacy, and the characters of its members. The wavering affections and mercenary views of ſome of the allied princes, the jarring intereſts of the courts to which they belonged, the different languages, habits, and diſcipline of the united armies, and the competitions of their commanders, reduced the actual ſtrength of the confederacy far below the computed ſtandard of the parties concerned, and rendered their common ſucceſs extremely precarious and remote. The bigotry of the Roman catholic princes, whatever their profeſſions might be, made them, in reality, but little intereſted about the accompliſhment of thoſe objects, which more directly referred to the ſecurity of the proteſtant religion, and the detached intereſt of proteſtant ſtates. None of the confe-

[20] The confederate powers were ſolemnly bound not to make peace with Lewis till he had reſtored the proteſtants to their poſſeſſions, and granted entire liberty of conſcience throughout his dominions. Article 3. Till the eſtates of France were re-eſtabliſhed in their ancient liberties; till the parliaments were reſtored to their rightful authority; and till all the towns were re-eſtabliſhed in their privileges. Articles iv. vi. vii. But what appeared to be ſtill a more vague and impertinent reſolution, they were bound to continue the war till the tax upon ſalt, and other unreaſonable taxes and impoſitions, were aboliſhed for ever. Article v.

derates,

derates, except the Engliſh, had kept faith with reſpect to the proportion of troops they were bound to furniſh, and the time of their entering upon action. CHAP. XIII. 1691.

The embargo laid upon ſhips, and the neceſſary expedient of preſſing men into the ſervice of the navy, were found, not only to be injurious to the mercantile intereſts, but productive of inconveniences, which exhauſted the patience of the great body of the people who ſurrounded the ſeat of government. The article of coals in particular became ſo ſcarce and dear in the London market, that it was found neceſſary to iſſue a proclamation to exempt all ſeamen employed in the coal trade, from the ſervice of the navy. No effectual ſervices had been performed by the fleet to balance the misfortunes of individuals, and to flatter the pride of the nation. Examples of corruption, extravagance, and peculation, brought to light by the commiſſioners of accounts, roufed the indignation of the people, and ſpread a diſtruſt and ſuſpicion of every department of government. It was found in particular, that the charges for the Engliſh troops exceeded the nominal muſter, and that even this muſter fell ſhort of the complement of men voted by parliament. It appeared that ſome of the moſt lucrative places were rendered ſtill more ſo, by an unaccountable exaction of fees, and the ſale of offices annexed to their patronage [21]. Loſſes ſuſtained by the trading part of the nation. 20th July.

Beſides theſe meaſures and misfortunes, which were the occaſion of general diſcontent, there were offences, which affected particular orders and parties of men, and looſened their attachment to the court and government. The narrow pre- Diſaffection of many of the members of the church.

[21] Journ. Commons, October, November, 1690.

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judices and jealous bigotry, of many leading members of the church, co-operated, with other cauſes, to ſpread in the nation a temper injurious to the reputation and authority of the king [22]. His fond deſire of extending religious liberty was repreſented as an evidence of a latent averſion to the eſtabliſhed church, aggravated by ingratitude to a claſs of men, whoſe reſiſtance to arbitrary power had prepared the way for his acceſſion to the throne. William not only endured the peeviſhneſs and diſaffection of ſome of the biſhops, with unexampled patience and moderation, but even purſued meaſures, hardly conſiſtent with his perſonal ſafety, in order to reconcile their affections, and to ſcreen them from the chaſtiſement of that government which they daily inſulted. He had ſtruggled, as we have ſeen, with his miniſtry, to introduce a clauſe in the oath bill, for exempting the biſhops from obligations of which their conſciences did not approve. Unſucceſsful in this attempt, he obtained authority from parliament to beſtow a modified proviſion, out of the funds of the biſhopricks, upon thoſe, who were reſtrained from exerciſing the duties of their functions by the ſcruples of a tender conſcience. When the time allowed for taking the oaths to government had expired, he diſcovered the moſt anxious deſire to ſuſpend the execution of the law, and for this purpoſe lord Rocheſter and ſir John Trevor, who had the confidence of the diſaffected biſhops, were employed to converſe with them, and to obtain information, whether they would conſent to live peaceably, and to diſcharge the functions of their office, provided that an

[22] Inquiry into the Cauſes of the preſent Diſaſters. State Papers. T. W. vol. ii. p. 96, 97.

indulgence

indulgence could be obtained from the parliament. They continued ſullen, obſtinate, and unmoved, either by the experience of forbearance, or the hope of future favour [23]. Many months had now elapſed ſince they had become liable to the penalties of the law. Order, decency, and the intereſts of religion, might well have juſtified a rigorous execution of it, when an event occurred which rendered lenity dangerous, and ſeverity indiſpenſable. A conſpiracy was diſcovered, with ſtrong circumſtances of ſuſpicion, that ſome of the clergy, who had not taken the oaths, were acceſſary to it [24]. The authority of their office, and their ſacred character, gave them advantages over the prejudices and the conſciences of the people, extremely hurtful to the eſtabliſhed government; five of them, therefore, were at laſt deprived of their offices, in terms of the act of parliament. 1ſt February.

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This event may be conſidered as productive of a new influence, which had permanent effects on the political tranſactions of England, and upon the arrangement and ſtrength of parties during this and the ſucceding reign. Several of the

[23] Burnet, 1691.

[24] Lord Preſton, Mr. Aſhton, and Mr Elliot, were ſelected by the friends of James, to go over to France, and to concert meaſures for his reſtoration, which was thought eaſily practicable during the abſence of William. Having hired a veſſel to the coaſt of France, the owner of it gave notice to the court 30th December 1690. The veſſel was permitted to ſail, and afterwards boarded, under pretext of ſearching for ſeamen. The papers and letters found in Aſhton's poſſeſſion, diſcovered that a plot had been carrying on for the reſtoration of James, and that ſome of the biſhops, clergy, and many of the nobility, were concerned in it. Lord Preſton, Mr. Aſhton, and Mr. Elliot were tried, and the two former condemned. Preſton was executed, Mr. Aſhton pardoned; there was not ſufficient evidence to convict Elliot.

biſhops,

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biſhops, and a great number of the diſaffected clergy, hitherto wavering and undetermined, were, from this period, fixed in oppoſition to the revolution and the act of ſettlement. A numerous body of the people, who venerated their character, and ſubmitted implicitly to their opinions, improperly confounded their intereſt with that of the religious eſtabliſhment, and conſidered the perſonal degradation of ſo many reſpectable prelates as an alarming preſage of the danger and approaching ruin of the church [25]. A controverſial war ſoon commenced between thoſe of the clergy who were deprived, and thoſe who continued in office. The former accuſed the civil government of a ſacrilegious invading the rights of the eccleſiaſtical juriſdiction; an uſurpation more preſumptuous, and more injurious to religion, than any meaſure imputed to the abdicated king. While the acrimony and perſonal invectives, which both parties adopted in the courſe of their diſputes [26], weakened the reſpect due to the ſacred character, and gave a deep wound to the intereſts of religion; in the deprived clergy and their adherents, the members in oppoſition alway found a ſtrong party, ready to forward their ſchemes of perplexing and thwarting the meaſures of government.

From the various cauſes now explained, diſcontent began to ſpread over the nation; but did not attain to ſuch force as to occaſion any material obſtruction to the political deſigns of the court. It was the cauſe of delaying, not of defeating

[25] Warrington's Speech againſt arbitrary Power.

[26] The aſperity with which the meaſures of government were attacked by the ſuffering party, occaſioned a proclamation, 9th April, againſt ſeditious diſcourſes and libels.

feating the grant of ſupplies, in the next ſeſſion of parliament. Somewhat of the temper of the nation was then diſcovered in the courſe of every debate; from which it became evident, that, in proportion as the war was prolonged or unſucceſsful, the number and influence of its friends would decline. CHAP. XIII. 1691.

The parliament, after ſeveral adjournments, met on the twenty-ſecond of October. His majeſty called their attention to the ſucceſs of his arms in Ireland, as an earneſt of his future ſucceſs in proſecuting the war with France. He recommended to them to diſcharge the arrears due to the army, which had reduced Ireland; and to provide a ſtrong fleet and army, both for defenſive and offenſive war. Third ſeſſion of the ſecond parliament.

The commons agreed that a ſupply ſhould be granted, for carrying on a vigorous war againſt France; but, notwithſtanding this ſeeming forwardneſs to gratify his majeſty, ſeveral weeks were conſumed in diſputes about the liſts of the army, and other preliminary points; and it was not till the fourth of January one thouſand ſix hundred and ninety two, that they reſolved upon the ſum of one million nine hundred and thirty-five thouſand ſeven hundred and eighty-ſeven pounds, as neceſſary for maintaining the land forces during that year. In the courſe of the debates concerning the ſupply, every opportunity was embraced by the party in oppoſition, to expreſs their reluctance to any augmentation of the army [27]. The expence of a foreign war was Backwardneſs of the commons in granting ſupplies.

[27] After the number of troops had been agreed upon, it was contended, that officers ſhould be underſtood as included: though lord Ranelagh, the pay-maſter, aſſured the houſe, that they were provided for in the eſtimates of the ſupplies. Grey's Debates, vol. x. p. 185.

grievouſly

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1691.

Their ill humour.

grievouſly complained of, and it was aſſerted, that the pay of the army alone amounted to one half of the current caſh of the nation: that the war with France, if unſucceſsful, muſt bring immediate and irretrievable ruin upon Britain; and that no victories or acquiſitions, though correſponding to the moſt ſanguine expectations of the court, could poſſibly indemnify the nation for the immenſe waſte of blood and treaſure, by which they were to be purchaſed. The reſpect, due to the dignity and character of the king, was often violated by the party which eſpouſed theſe ſentiments. His paſſion for a ſtanding army was imputed to other motives, than merely that of circumſcribing the power of France; and it was inſinuated, that the liberties of the nation muſt be at the mercy of a prince, who commanded ſixty-five thouſand ſoldiers, the number which the king had ſpecified as requiſite for the ſervice of the year [28]. The ſupplies, however, were rather retarded than reſtricted by theſe animadverſions. The ſum of one million five hundred and ſeventy-eight thouſand eight hundred and ninety-eight pounds was granted for the fleet, including the ordnance, and the expence of building docks at Portſmouth; which, added to the ſupply voted for the army, amounted to the ſum of three millions five hundred and fourteen thouſand ſix hundred and eighty-five pounds [29].

Supplies granted.

Inquiry concerning the inactivity of the fleet. 7th Nov.

An inquiry concerning the fleet, inſtituted by the commons, excited the anxious expectation, and terminated in the diſappointment, of every party. The friends of lord Torrington entertained great hopes that this inquiry would contribute

[28] Grey's Debates, vol. x. p. 175-6, &c.

[29] Journ. Commons, 18th Nov. 1691, 4th Jan. 1692.

to

to the vindication of his honour, and the reproach of his adverſaries. If the inactivity of the fleet ſhould appear to be owing to the miſconduct of Ruſſel, who now commanded it, they would conſider this as a juſt retribution to that man, whoſe opinion, forwardly and indelicately obtruded, had impreſſed his ſovereign, and many of the nation, with ſentiments unfavourable to Torrington. Should the blame be found to reſt with thoſe who were inveſted with the truſt of fitting out the fleet, and directing its ſervice, this would exhibit an exact counterpart to the delay and contradiction of orders, which lord Torrington had repreſented as the cauſe of his misfortune; and teach the authors of it, that diſgrace and condemnation, though ſometimes transferred by ſuperior influence to the guiltleſs, would at laſt fall upon the head of thoſe who had actually offended. The nation, as well as parties, felt themſelves deeply intereſted in the iſſue of this inquiry. The fleet, commanded by Ruſſel, had been equipped at great expence; and, when joined by the Dutch, was far ſuperior to the French; and yet nothing had been performed. But though much time was exhauſted, and long and keen debates took place, yet no information was obtained, ſufficient to ſubſtantiate any criminal charge, either againſt the commanders, or the commiſſioners of the admiralty. The want of ſufficient ſtrength, and of proviſions, or the remiſſneſs of the admiralty in ſending orders, were urged by the friends of Ruſſel, as the cauſe of the delay of ſailing in the early part of the ſeaſon. The diſappointment of the blockade at Dunkirk, from which much had been expected, was imputed to the Dutch fleet, which had refuſed to ſecond the operations of the Engliſh. The peculiar good fortune and dexterity of the French, in avoiding an engagement, was

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was the apology made by the Engliſh admiral, for diſappointing the nation of the victory and glory, which they had anticipated from the ſuperiority of their fleet [30].

Bills to check abuſes in the revenue and public offices.

The detection of extravagance, and of abuſes in the army and public offices, were not only animadverted upon in the courſe of the debates upon the ſupplies; but induced the commons, with great propriety, to introduce ſeveral bills for retrenching the ſalaries of office, and for preventing future abuſes of the revenue. Theſe bills, however, were either rejected by the lords, or clogged with ſuch amendments as tended to defeat their very purpoſe [31]. A bill for aſcertaining the commiſſions and ſalaries of judges, and rendering them independent, began in the commons, and paſſed both houſes; but the king refuſed his aſſent to it. The declining influence of the crown, unequal to the vigorous proſecution of the higheſt national concern, as well as the dread of conſpiracies which broke out at this time, were apologies for withholding the royal aſſent from a bill eſſential to the pure diſpenſation of juſtice [32].

[30] Grey's Debates, vol. x. Journ. Commons, 16th, &c. November. Lives of the Admirals, vol. ii. p. 346.

[31] The principal of theſe were, that the payment of the forces ſhould tally with the actual muſter. Journ. Commons, 14th December. A bill againſt buying and ſelling offices, 17th December. That all the profits ariſing from any place in the gift of the crown above 500l. ſhould be applied to the charge of the war, 23d December. So far were the commons conſiſtent in their plans of œconomy, that they contrived to force upon the lords, a bill for continuing the commiſſioners of accounts, by tacking it to a money bill; 23d Dec.

[32] Burnet, 1691.

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1691. The influence of the tories augmented by a farther change of miniſtry in their favour.

The ſtrength and influence of parties continued through this ſeſſion, almoſt in the ſame proportion, as in the two preceding ones. His majeſty, after the concluſion of it on the twenty fourth of February one thouſand ſix hundred and ninety-two, threw additional weight into the ſcale of the Tories, by admitting the earls of Rocheſter and Ranelagh, lord Cornwallis, and ſir Edward Seymour, into the privy council. The earl of Pembroke was made privy ſeal, lord Cornwallis a commiſſioner of the admiralty, and ſir Edward Seymour a commiſſioner of the treaſury.

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Motives with Lewis for attempting an invaſion of England.—Preparations for it.—Prudence and Activity of Queen Mary.—The united Fleets of England and Holland obtain a complete Victory.—The People diſſatisfied.—The Intereſt of the Confederacy declines.—Short Account of Campaign 1692.—*Cauſes of the Decline of William's Influence in England.—Meeting of the fourth Seſſion of the ſecond Parliament.—Complaint made by certain Lords for having been illegally committed—The King diſcharges them.—Motion in the Houſe of Lords, for a joint Committee to give the King Advice—alarming to the Court—rejected.—Articles of Advice propoſed by both Houſes ſeparately.—Reflections, made by Oppoſition, on the Conduct of the King, and thoſe employed by him.—The Temper of the Parliament becomes more favourable to the Court.—Expectations of the Whigs.—Breach between the two Houſes occaſioned by an Inquiry about the Miſcarriages at Sea.—A Conference between them.—The lords propoſe to aſſeſs themſelves.—A Bill for triennial Parliaments—paſſes both Houſes—rejected by the King—Changes in public Offices.—Campaign* 1693.—*Partial Changes in Adminiſtration.—Meeting of the fifth Seſſion of the ſecond Parliament.—Inquiry into the Miſcarriages at Sea.—Corruption diſcovered.—Lord Falkland ſent to the Tower.—Liberal Supplies granted.—The King refuſes his Aſſent to a Place Bill.—Cauſes of the Compliance of all Parties with the Court during this Seſſion.—Preferments in favour of the Whigs.—Meeting of the ſixth Seſſion of the ſecond Parlia-*

Parliament.—An Act for triennial Parliaments.—Supplies.—Death of Queen Mary.—Her Character.—The Hopes of the Friends of James excited.—Inquiry into the Proſecution of the Gentlemen in Lancaſhire, ſuſpected of a Conſpiracy againſt Government.—Diſcovery of Corruption.—Parliament prorogued.

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1692. 5th March. Motives with Lewis for attempting an invaſion of England.

AT no period in the reign of William were his affairs more critical than after his departure for the continent, in the interval between the third and fourth ſeſſion of the ſecond parliament. From diſaffection, intrigue, and conſpiracy, no party was entirely free. Beſides the number and influence of James's correſpondents, many motives induced the French king to attempt more bold and direct exertions in his behalf; and even flattered him with the proſpect of making a ſucceſsful invaſion upon the coaſt of England. The troops tranſported from Ireland, agreeably to the treaty of Limerick, brought a conſiderable addition to the French army. It was ſuſpected that a deſcent upon the coaſt of France was intended by the Engliſh fleet, which ſuggeſted to Lewis the anticipation of the ſame plan, as moſt effectual for averting the danger with which he himſelf was threatened. He had found, from the experience of two campaigns, that the wealth and force of England were the ſinews of the grand alliance. There remained therefore no hope of weakening or deſtroying it, but by the ſeparation of England; and no hope of effecting that ſeparation, but by the dethroning of William. The breach between him and the whigs, the notorious predilection of the tories, now in adminiſtration, for the hereditary ſucceſſion, and, above all, the aſſurance of diſaffection in the fleet, encouraged the moſt ſanguine expecta-

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tion from an attack upon England, conducted by James in perſon [1].

1691. Preparations for it.

In order to accompliſh this deſign, the French ſhips at Breſt and Toulon were fitted out with uncommon expedition: all the privateers were recalled, and an embargo laid upon the merchantmen, for the more ſpeedy and effectual manning the navy. Not leſs than eight or ten thouſand troops were moved from the internal garriſons to Normandy and Guienne. King James directed his friends in England to carry on correſponding preparations, and to put themſelves in a poſture to ſecond the French troops upon their landing. Early in the ſpring he left Saint Germains and came to Caen, and afterwards to La Hogue, that he might be in readineſs to ſail with the French fleet; and finally, a declaration was publiſhed by him, expreſſed in ſuch terms, as ſeemed beſt calculated to confirm the reſolutions of his friends, and to convert or intimidate his enemies [2].

11th April.

24th April.

Activity and prudence of queen Mary.

The vigilance, prudence, and compoſure of queen Mary, ſhone with conſpicuous luſtre in this ſeaſon of danger. The fleet was equipped with wonderful celerity; the army was augmented, the militia called out, three regiments were brought from Holland, which, with thoſe

[1] Life of James, 1692. Hiſtoire de France, tom. iii.

[2] In this declaration, James expreſſes great confidence in the affections of his ſubjects, and reminds them of the ſevere treatment he had met with from the prince of Orange and the convention. He mentions the miſeries which England muſt ſuffer if ſhe did not return to her duty. He prohibits his ſubjects to pay any taxes for the ſupport of an uſurped government: he promiſes, with a few exceptions, to pardon all who ſhall return to their duty: he engages to maintain the church of England, and recommends to parliament to allow liberty of conſcience.

already

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already in England, were encamped near Portſmouth. The parliament was ſummoned to meet for the diſpatch of buſineſs. By a ſeaſonable mixture of terror and confidence, held out by the court to the enemies of government, ſome were overawed, and others allured to fidelity, in the diſcharge of the important truſt committed to them. For, while warrants were iſſued againſt the notoriouſly diſaffected, many of the officers in the navy, and ſailors, who had been wavering, were overcome by the kind and generous aſſurances with which the queen profeſſed to rely upon their fidelity and honour [3].

1692. 24th May.

The united fleets of England and Holland obtain a complete victory. 19th May.

Theſe meaſures, ſeconded by no common ſhare of good fortune, delivered England from the imminent danger of foreign invaſion, and internal conſpiracy. The combined fleets joined ſooner than was expected, were greatly ſuperior to the fleet of France, and obtained a complete victory [4]. But though this victory fruſtrated the immediate views of James, and diffuſed a tranſient gleam of joy over the Engliſh nation, naturally captivated with ſplendid exploits, yet it did not promote ſuch important and durable effects, either with reſpect to domeſtic tranquillity, or foreign ſucceſs, as were expected by the court.

The people diſſatisfied.

As ſoon as the tumult of popular joy had ſubſided, critical inquiries into the ſtate of public affairs were reſumed, and complaints muttered, becauſe victory had not been complete, in proportion to the ſuperiority of the Engliſh and Dutch; nor purſued with wiſdom and vigour. The people were not ſatisfied, becauſe a deſcent upon the coaſt of France had not been attempted. The victory at La Hogue, in ſome reſpects, was

[3] Burnet.
[4] Lives of the Admirals, vol. ii.

injurious

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injurious to the Britiſh trade; for it being impoſſible to refit the French fleet again during that ſeaſon, the ſailors were employed in privateers, which ſwarmed on every coaſt, and committed daily depredations on the merchant ſhips [5].

The intereſt of the confederacy declines.

Other cauſes increaſed the number of thoſe who were diſſatisfied with the continental war. The ſpirit and power of the confederacy were declining. Pope Innocent the Twelfth, ſo far from inheriting the reſentments of his predeceſſor, Innocent the Eleventh, againſt France, was decoyed by her artful addreſs, to employ his apoſtolic influence with Spain and with the emperor, in order to perſuade them to ſheathe the ſword, and give peace to Europe. He interceded for the States and princes of Italy, who complained of the oppreſſive exactions of the Imperial army; and gave his ſanction to negociations for bringing about a defenſive league among them, againſt the confederate princes [6]. Tempting offers were held out by France, to detach the duke of Savoy from the alliance, and were reſiſted, only while the allies had it in their power to retain him by more advantageous terms. The elector of Saxony embraced the opportunity, afforded him by the preſent embarraſſed ſtate of the emperor's affairs, of reſenting ſome ſlight affronts he had formerly received from him, and of withholding his troops from the confederate army. The king of Sweden was alſo backward in furniſhing his ſtipulated reinforcement. The influence of the Louveſtein faction began to revive by the intrigues of Lewis, and marred the alacrity and unanimity with which the States had entered into the war. The perſo-

[5] Burnet.
[6] Memoirs of Europe.

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nal diligence and ability of king William alone compenſated for theſe diſadvantages, by bringing over new ſupplies of ſtrength to the confederacy, and animating the vigour and reſolution, of all its members. As he had been the inſtrument of fixing the duke of Hanover and the elector of Saxony, in the intereſt of the confederates, ſo to his prudent counſel was aſcribed the appointment of the elector of Bavaria to be governor of the Spaniſh Netherlands; a meaſure which, by transferring into Flanders a conſiderable portion of the treaſure and force of his electorate, put it into a better poſture of defence, while the influence, derived from his official connexion with Spain, was employed to promote ſuch a ſucceſſion to that monarchy, as was agreeable to the views of William and the confederates [7].

Short account of campaign 1692.

The campaign of one thouſand ſeven hundred and ninety-two did not diminiſh the diſcontents, or raiſe the hopes, of the nation. Namur, one of the ſtrongeſt cities in Flanders, ſurrendered to the French king. William, at the head of the principal army of the confederates, attacked the French, commanded by Luxembourg, near Steenkirk. The French kept the field: the loſs of the allies amounted to above five thouſand killed and wounded. Upon the Rhine the duke of Wirtemburg was ſurpriſed in his camp, near Edelſheim, by the marquis de Lorges. A thouſand of his men were killed, he himſelf made a priſoner, and the neighbouring country of the States laid under contributions. The ſucceſs of the allies was not ſufficient to counterbalance theſe loſſes. In Flanders, a few villages in the poſſeſſion of the French were bombarded. In

June.

Auguſt.

Septem-ber.

[7] Ralph, vol. ii. p. 341, &c. Burnet.

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Spain, things remained in the ſame ſtate as in the former campaign. The duke of Savoy opened the campaign with great activity; he entered Dauphiné, and had made himſelf maſter of Am-

1692. Auguſt.

brun and Gap, when he was ſeized with the ſmall-pox, which obliged his army to retire and evacuate the places they had taken. A ſtrong ſuſpicion that he availed himſelf of the pretext of diſeaſe to ſpare France, depreſſed the ſpirits of the allies, more than they had been raiſed by his former exploits and glory [8].

Cauſes of the decline of William's influence in England.

The perſonal influence of William, and the attachment of his Engliſh ſubjects, continued to decline during the ſummer one thouſand ſix hundred and ninety-two. Thoſe meaſures which he purſued, in compliance with neceſſity, it muſt be admitted, were often of an ambiguous complexion, and might, according to the prejudices of ſpectators, be traced to the love of power, or the dictates of wiſdom. Of this nature was his oppoſition to ſome of thoſe bills, which were introduced in the true ſpirit of the revolution; and which ſeemed eſſential, in a more ſettled ſtate of government, to the pure adminiſtration of juſtice. A bill for amending the laws with reſpect to treaſon, a bill for controlling the extravagant prerogatives of the court of chancery, and for eſtabliſhing the independence of the judges, were defeated, by the indirect influence, or open negative, of the king. This unwillingneſs, which he diſcovered to extend the liberty of the ſubject, was imputed to the ſame principles and temper, which had generated the grievances of the former reign. The employment

[8] Life of William. Hiſtoire de France. Monthly Mercury.

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of perſons who had been odious inſtruments of the worſt meaſures, and the example of ſeverity in the trials of lord Preſton, and Mr. Aſhton, were produced as corroborating evidences of the arbitrary diſpoſition of William. Nor were theſe circumſtances more offenſive, than the diſtinguiſhed confidence with which he treated his Dutch and foreign officers [9]. All theſe cauſes of diſcontent were foſtered by the enemies of adminiſtration, and circulated in publications, which, in number and acrimony of ſtyle, exceeded all of the ſame nature which had appeared ſince the revolution [10].

The coalition of individuals and parties, hitherto oppoſite and irreconcilable, gave a deep wound to the influence of the crown, before the opening of the fourth ſeſſion of the ſecond parliament. In the two firſt ſeſſions of this parliament, diviſions in both houſes were regulated, in a great meaſure, by the motives and principles of party; and whigs and tories ranged themſelves, with more exactneſs and conſiſtency, under their reſpective ſtandards. As the jacobites, and whigs out of doors, had of late concurred in arraigning the meaſures of government, and the conduct of the king, ſo the whig members, and the tories out of place, often ſtood upon the

[9] This conduct of William, proceeding partly from the prejudices of his education, ſeems at the ſame time to have been juſtifiable from conſiderations of uſefulneſs and expediency. The long continuance of peace in England previous to the revolution, occaſioned a real want of accompliſhed and experienced commanders. Except lord Churchill, who, by the force of ſuperior genius, ſurpaſſed all his contemporaries of the military profeſſion, it may be queſtioned if there was another Engliſh officer fit to be intruſted with an independent command.

[10] Publications of the Times. Somers's Collections. State Papers. T. W.

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ſame ground, and coincided in opinion upon thoſe queſtions which came under the diſcuſſion of parliament. The diſcrimination of parties grows more faint, and their animoſities more languid, in proportion to the diſtance from a general election. On the approach of that event, members of the ſame party aſſociate and conſult together, and reciprocally impart a zeal for their common principles. Rival candidates find it their intereſt, during a canvas, to cheriſh every idea calculated to impreſs their electors with the opinion of their wide and irreconcilable oppoſition. From repeated promiſes and declarations, they often catch an enthuſiaſm for the principles of their party, and engage, perhaps ſincerely, to ſupport them; but when intercourſe with their conſtituents becomes leſs neceſſary and frequent, various circumſtances co-operate to abate the ardour, and confound the diſtinction of parties. Queſtions often occur, in which their principles and political intereſts are at variance. Some adhere to their principles, others, perhaps the greater number, fall in with thoſe meaſures which tend to ſecure the pre-eminence, or gratify the reſentment of their party. On ſuch occaſions the influence of party is impaired, both by internal diviſion, and by the loſs of reputation. The miniſtry, the parliament, and parties, were all, at this period, in ſuch a ſituation, as to exhibit the full operation of thoſe cauſes which have a tendency to extinguiſh diviſions, and reconcile ſuch as had formerly been of oppoſite opinions and intereſts.

Meeting of the fourth ſeſſion of the ſecond parliament.

Another ſeſſion of this parliament was opened on the fourth of November. The king thanked them for the ſupplies he had formerly received, and

and expreſſed his hope, that they would continue their advice and aſſiſtance, and take the moſt proper meaſures for ſupporting their common intereſts againſt the exceſſive power of France. He mentioned the victory at ſea as ground of joy, and wiſhed that the ſucceſs by land had been anſwerable to it. The diligence of France, in repairing her fleet and augmenting her armies, was urged as a reaſon for maintaining the forces of England entire, and granting ſuitable ſupplies. A deſcent upon the coaſt of France was propoſed, and ſuch care and application promiſed, as were likely to enſure ſucceſs.

This ſeſſion was opened in both houſes with evident ſymptoms of diſreſpect to the court. Circumſtances trivial, and apparently unworthy of record, often indicate the temper both of individuals and ſocieties more expreſsly, than thoſe intereſting facts which better ſupport the dignity of hiſtory. Parliament met, as has been obſerved, on the fourth of November, the anniverſary of the king's birth-day, and of his arrival on the coaſt of England; a day, which ſeemed to call for ſome external teſtimony of gratitude and reſpect to their deliverer. So far, however, was it from being diſtinguiſhed, that both houſes adjourned for ſeveral days, and the lords, after meeting again, inſtead of conſidering the king's ſpeech, entered with great heat upon the defence of their privileges.

Complaint made by certain lords for having been illegally committed.

This ſubject was brought before them by a complaint of the lords Huntington, Scarſdale, and Marlborough, who had been committed to the Tower upon the ſuſpicion of treaſon. The ground of their complaint was, that information had not been given againſt them on the oath of two witneſſes, according to law; and that, at the beginning

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beginning of Michaelmas term, they were continued under bail, though the parliament was ſoon to meet [11]. After various debates and reſolutions paſſed by the lords, the king prudently diſcharged the priſoners, in order to remove a ſubject which was likely to be made a handle of violent meaſures againſt the court. It muſt have been painful to him upon this occaſion to find, that apparent ingratitude towards Marlborough, whom he knew to be treacherous, contributed not only to weaken the intereſt of the court in the houſe of lords, but to impair his reputation among the people [12].

The king diſcharges them.

Motion in the houſe of lords for a joint committee to give the king advice.

The king in his ſpeech had mentioned the advice of his parliament, as well as their aſſiſtance. The party in oppoſition in both houſes clung to this expreſſion, and annexed to it ſuch a latitude of interpretation, as might authoriſe the moſt ſevere and pointed cenſures of the meaſures of the court. It was moved in the houſe of lords, that a joint committee of both houſes ſhould be appointed to confer concerning the ſtate of the nation, and to conſider what advice they ought to

[11] Journ. Lords, 7th and 14th November.

[12] The lords had been ſent to the Tower upon the accuſation of one Young, a man of an infamous character, who had himſelf been committed to priſon for forgery. With the aſſiſtance of another priſoner, he framed an aſſociation againſt government, to which he annexed the ſubſcriptions of Saliſbury, Marlborough, the archbiſhop of Canterbury, the biſhop of Rocheſter, &c. in characters ſo like their hand-writing, as not to be diſtinguiſhable from their true ſubſcriptions. The villainy was detected to the ſatisfaction of the privy council by Sprat, biſhop of Rocheſter, when confronted with Blackhead, the aſſociate of Young. State Trials.

The confinement of Marlborough after this detection had an ill appearance, but there was too good reaſon for it, as is evident from the diſcoveries lately publiſhed in Mr. Macpherſon's State Papers. See chap. xv.

give

give the king. The ſimilarity of this meaſure to that which had been adopted, upon the diſſolution of government, in the reign of Charles I., as well as its obvious conſequences, filled the court with the higheſt alarm. As the objects to which it referred were indefinite, and arbitrarily ſelected, it might eaſily be employed as a warrant for intruding into the moſt delicate and retired departments of government, while the reſtricted number of a committee, comprehending the authority of both houſes, would give unanimity and vigour to their proceedings The utmoſt influence of the court was exerted, and with difficulty procured the rejection of this motion, by a majority of two votes [13].

1692. Alarming to the court.

Rejected.

But though it was over-ruled, yet the ſubject of giving advice was, from time to time, reſumed in both houſes, and became extremely vexatious to the king, as it proved a vehicle for conveying the moſt diſreſpectful inſinuations with regard to his meaſures and attachments. It was reſolved by the commons, that his majeſty ſhould be adviſed, to fill up vacancies among the general officers with ſuch only as were natives of his dominions; to conſtitute commiſſioners of the admiralty perſons of known experience in maritime affairs; and to employ in his councils ſuch perſons only, whoſe principles obliged them to ſtand by his rights againſt the late king James [14].

Articles of advice propoſed by both houſes ſeparately.

The ſubjects contained in the addreſs of the lords were not leſs perſonal, and ſtill more offenſive to the king. They prayed that no foreigner ſhould be of the board of ordnance, or keeper of ſtores in the Tower of London; that the chief

[13] Journ. Lords, and Lords' Debates, 7th December.

[14] Journ Commons, November, December, paſſim, and 11th January 1693.

governor

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governor of the Engliſh forces under the king ſhould be a ſubject born in their majeſties dominions; and that he would be pleaſed to give the precedency to Engliſh officers, and to leave in England, for the defence of the kingdom, none but Engliſhmen [15].

Reflections made by oppoſition on the conduct of the king and thoſe employed by him.

In the courſe of the debates on theſe reſolutions, illiberal reflections were thrown out againſt the foreign generals. All the calamities and diſappointments the nation had ſuffered during the war, were imputed to the prevalence of a foreign influence, and the defeat of the confederate army at Steenkirk; particularly, to the miſconduct of count Solmes. The ſtate of alliances, and the reports of the commiſſioners of accounts, laid before the houſe of commons early in the ſeſſion, ſuggeſted materials for cenſuring the conduct of the allies, the exorbitant expences of the war, and the miſmanagement of the public funds. While James, it was ſaid, had been ruined by ſubmitting his affairs to the direction of men deſtitute of principle, William followed the advice of miniſters who had avowed the moſt dangerous principles; and that the conſtitution was in effect changed, while the moſt important meaſures were directed by a few, obſequious to the arbitrary pleaſure of the king, without the participation of the privy council, who were his natural and reſponſible adviſers [16].

The temper of the parliament becomes more favourable to the court.

Notwithſtanding the determined face of hoſtility to the court, with which both houſes had entered upon the public buſineſs, yet they not only deſiſted from the proſecution of harſh meaſures, but diſplayed inſtances of a compliance,

[15] Journ. Lords, 18th February 1693.
[16] Grey's Debates, vol. x. p. 252, &c.

highly

highly gratifying to the king. Several bills for retrenching the influence of the court proved abortive [17]. The ſupplies, though for ſome time delayed, amounted to the ſum of five millions ſeven hundred and fifty thouſand pounds. The ſame land force was continued, and the navy conſiderably augmented. This change in the temper of parliament, and the final triumph of the court, are to be aſcribed to great induſtry and addreſs on the part of the king, aſſiſted by a concurrence of fortunate events. He now began to perceive the neceſſity of throwing himſelf again into the arms of the whigs, who ſlackened their oppoſition upon the intimation of their approaching pre-eminence. Lord Sunderland, whoſe political talents obliterated former criminality, had now inſinuated himſelf into the confidence of their leaders, and proved a ſucceſsful agent for the king, by ſoftening the violence, and reconciling the affections, of that party [18]. A breach between the lords and commons, occaſioned by an inquiry into naval af-

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Expectations of the whigs.

Breach between the two houſes, occaſioned by an inquiry about the miſcarriages at ſea.

[17] The fate of the bill for amending the laws reſpecting treaſon was remarkable: after being purſued with great zeal by oppoſition, it was not only dropped, but made the foundation of a bill for the better preſervation of his majeſty's perſon.

The complaiſance of the commons, with reſpect to the bill for aſcertaining the ſalaries of judges, was ſtill more unaccountable. It had paſſed both houſes in the laſt ſeſſion, and was rejected by the negative of the king. As it had originated with the commons, their honour was particularly affected by its rejection. Here then they had an opportunity of contending againſt the crown with every advantage; the ſtrength of their cauſe, the approbation of their conſtituents, their former ſucceſs, thwarted only by a meaſure which the king durſt not repeat, without loſing more than he could gain; yet this bill was thrown out by the commons after a ſecond reading. Journ. Commons, 17th December.

[18] Burnet.

fairs,

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fairs, interrupted that unanimity which ſubſiſted between them, and at laſt engroſſed that zeal which was at firſt devoted to the depreſſion of the court. After the victory at La Hogue, the inactivity of the Engliſh fleet, during the remainder of the ſeaſon, exceedingly diſappointed and provoked the nation. All parties agreed, that there had been ſome miſmanagement, though on whom it was chargeable a diverſity of opinions prevailed, ſome aſcribing it to the commanders,

11th Nov. and others to the court of admiralty. The houſe of commons, by a vote of thanks to admiral Ruſſel, diſcovered a precipitate and partial approbation, which involved the cenſure of the earl of Nottingham, who conducted the naval department, and was therefore ſuppoſed to be anſwerable for that miſmanagement, of which Ruſſel was thus virtually acquitted. The lords, exaſperated by the vote of the commons, ſhewed the moſt anxious concern to vindicate the earl of Notting-

8th, 10th, 19th December. ham. To accompliſh this with a ſtrict regard to juſtice, they examined the various orders which had been iſſued by the admiralty, and the ſeveral letters which had paſſed upon the ſubject of theſe orders between lord Nottingham and Ruſſel; after which they came to a reſolution, that an account of their proceedings, together with the papers on which they were founded, ſhould be ſent to the other houſe, thereby inſinuating that the commons had decided without information. The commons, angry at a reſolution which implied ſuch an impeachment, repeated their approbation of admiral Ruſſel, and declared, that, during the laſt ſummer's expedition, he had acquitted himſelf with fidelity, courage, and conduct.

20th Dec. The lords demanded a conference. With this demand

demand the commons complied; but in a way ſtill more contemptuous and irritating, than if they had refuſed it; for they inſtructed their commiſſioners to make no reply to any arguments, and only to report what they heard [19]. It was probably in reſentment of this diſreſpectful treatment, that the lords made an attempt to interfere with the commons in a department, which the latter had always conſidered as their ſole and peculiar province. When the bill for the land tax was brought up to the houſe of lords, it was moved and carried, that the lords ſhould aſſeſs themſelves, and name a collector of their own [20]. This amendment was rejected by the commons with great heat, and a conference demanded upon it; and though the amendment was defended with ability, yet the emergency of the ſtate, and the diſapprobation of the people, obliged the majority in the houſe to recede from it, and afford a new triumph to the commons.

1693. A conference between the two houſes. 2d Jan. The Lords propoſe to aſſeſs themſelves. 19th Jan.

This fluctuation of ſentiments, apparent from the conduct of individuals and of parties, ex-

[19] Ralph, vol. ii. p. 397. Burnet and all the whig hiſtorians have added their teſtimony, in behalf of Ruſſel, to that of the commons; and the Author of the Lives of the Admirals has adopted their views, vol. ii. p. 367, 375.

From the papers produced in that inquiry it appears, that though a deſcent upon the coaſt of France, as planned by the miniſtry, was attended with difficulties of which they were not aware; and that, in ſome inſtances, their inſtructions to the commanders were long delayed, and after all were not perſpicuous; yet, on the other hand, Ruſſel, and the commanders under him, were exceedingly diſpoſed to exaggerate the difficulties of the expedition, and the errrors of the miniſtry. They did not make the exertions which were in their power, and alleged the moſt frivolous excuſes in their vindication. From late diſcoveries there is too much reaſon to ſuſpect the conduct of Ruſſel at that period. See chap. xv.

[20] Journ. Lords, 16th Jan.

cited

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cited great complaints of corruption, and convinced both houſes, that ſome meaſures were neceſſary to maintain the purity and reputation of parliament [21]. A bill for this purpoſe having paſſed the houſe of commons, and been thrown out only by two votes in the houſe of lords, oppoſition was again encouraged to introduce another to the ſame effect in the upper houſe [22]. The ſubſtance of it was, that a new parliament ſhould be aſſembled every three years, and a ſeſſion held every year. The efforts of the court could not prevent its paſſing in both houſes; and the king, apprehenſive of its reducing the power of the crown, was forced to have recourſe to the unpopular method of ſuppreſſing it by his negative. This ſeſſion of parliament was concluded on the fourteenth of March.

A bill for triennial parliaments,

paſſes both houſes;

rejected by the king.

Admiral Ruſſel was diſmiſſed from his majeſty's ſervice on the twenty fourth of January, and the command of the fleet given to admirals Killigrew, ſir Ralph Delaval, and ſir Cloudeſley Shovel. Sir John Lowther, Henry Prieſtman, lord viſcount Falkland, ſir Robert Rich, ſir Ralph Delaval, were appointed lords commiſſioners of the admiralty. Although this choice was ſuppoſed to have been directed by lord Nottingham, yet a greater intereſt was thrown into the ſcale of the whigs, by putting the great ſeal into the hands of ſir John Sommers, and appointing ſir John Trenchard ſecretary of ſtate. As ſome compenſation to Ruſſel, as well as to avert the reſentment of his friends, he was appointed treaſurer of the houſhold.

Changes in public offices.

3d March.

[21] Burnet.

[22] Journ. Commons, 22d Dec. Journ. Lords, 3d Jan.

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1693. Campaign 1693.

The confederate armies were chiefly employed in a defenſive war during the campaign of 1693. In the Netherlands, Charleroy and Huy were taken by Luxembourg. In the Palatinate, Heidelberg, Spire, Manheim, and Frankendale fell into the hands of the French army under the marquis de Lorges. The marſhal Luxembourg attacked the allies commanded by king William in their camp near Landen. The advantage of the ground, over-rated by the latter, induced him to decline the advice of his generals, to retreat. His army, though compelled to give way to ſuperior numbers, made a brave reſiſtance, and diſappointed the enemy of the fruits expected from their victory. The confederates loſt ſeven thouſand men, and count Solmes, an experienced general. In Piedmont, the allies, commanded by the duke of Savoy, were defeated by the French, under the marſhal de Catinat. Marſhal de Noailles took poſſeſſion of Roſes, a ſeaport town in Catalonia. The ſucceſs of the French fleet, as it was the leſs expected, was the more mortifying to England. The French had not only refitted their ſhips, but made a conſiderable addition to their navy, by arming the largeſt merchantmen. The loſs of trading veſſels, to England exceeded that of any former year; eighty of them, amounting to one million ſterling, were taken and deſtroyed, off Cape Saint Vincent's, by the Toulon ſquadron. Two Dutch ſhips of war and one Engliſh, belonging to the united fleets under admiral Rooke, fell into the hands of the enemy. Four of the largeſt Smyrna ſhips, and one Dutch man of war, were burned or ſunk at Gibraltar; and ſeveral Engliſh and Dutch ſhips deſtroyed by the French fleet at Malaga. Saint Maloes was bombarded by captain Bembow, which was the occaſion of alarm and terror, rather than of any material injury

May. July. October. May.

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jury to the enemy. To conclude the diſaſters of this campaign, ſir Francis Wheeler, who had been ſent out, early in the ſeaſon, with a ſquadron againſt the French iſlands in the Weſt Indies, was repulſed in ſeveral attacks, and many of his men periſhed by ſickneſs, as well as by the ſword [23].

Such accumulated loſſes could not fail to diſpirit the nation. In former campaigns ſome ingredients of proſperity had been intermingled with misfortunes, and contributed to alleviate the diſappointments, and ſuſtain the fainting hopes, of the people; but now, every element, and every region exhibited calamity and diſgrace.

28th Oct. Partial changes in adminiſtration.

When the king returned to England, he found it neceſſary to make a partial change in adminiſtration, in order to blunt the weapons of oppoſition, whetted by the ill ſucceſs of his affairs. Admiral Ruſſel, whoſe cauſe the whigs had eſpouſed, was again appointed to the command of the fleet, and the earl of Nottingham was diſmiſſed from his office of ſecretary of ſtate [24].

The

[23] Life of William, vol. ii. Hiſtoire de France. Lives of the Admirals, vol. ii.

[24] The reſtoration of Ruſſel to the command of the fleet, is imputed by Mr. Macpherſon to the direction and influence of James. "James," ſays he, "requeſted admiral Ruſſel, who "had continued his communications with the court of St. Ger- "mains, to endeavour to procure the command of the fleet. "He deſired him to ſuppreſs his reſentment for his late diſ- "grace. He intreated him to command his temper, to regu- "late his conduct with prudence and reſerve, and to raiſe no "enemies that might obſtruct his deſigns. The intrigues of "James prevailed. William evidently fell into the ſnare. The "adherents of the late king inſinuated, that to reſtore Ruſſel "to the fleet, was to ſoothe the nation for the miſcarriages at "ſea. He was accordingly placed in his former office 6th No- "vember." Macpherſon, vol. ii. chap. i. 1693. This account

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1693-4. Meeting of the fifth ſeſſion of the ſecond parliament.

The king met his parliament on the ſeventh of November. He regretted their loſſes by land and by ſea; the former he imputed to the ſuperior force of the enemy; the latter he ſtyled miſcarriages, and promiſed his endeavours to bring the authors of them to puniſhment. He urged the neceſſity of increaſing the land and naval force, which muſt require a liberal ſupply.

The

count of Mr. Macpherſon is founded upon a paper, entitled, Inſtructions to the Counteſs of Shrewſbury, to the Earl of Shrewſbury, &c. &c. dated 16th October 1693, in which are the following words; "It is his majeſty's pleaſure, that you let admiral Ruſſel know, that his majeſty deſires him to get the "command of the fleet from the prince of Orange, &c." Macpherſon's State Papers, 1ſt October 1693.

A few remarks on this ſubject will juſtify an obſervation that has already occurred, namely, how ready authors are to overrate the importance of facts which they have been ſo fortunate as to diſcover, and to ſtretch the concluſions drawn from them.

It may be diſputed, whether James and his friends could have more reaſon to rely upon Ruſſel's ſervices, than thoſe of the principal admirals in commiſſion laſt ſeaſon. Two of them were certainly in his intereſt, and therefore he could have no reaſon for wiſhing Ruſſel to be employed, in preference to them. It is evident that James's friends entertained great ſuſpicions of Ruſſel. See chap. xv. Nay, the reſolution which Ruſſel himſelf avowed while intriguing with James, that if he met the French fleet he muſt fight them; and the fatal experience James had acquired of Ruſſel's adherence to this reſolution when he defeated the French fleet at La Hogue, muſt have rendered the conſequence of Ruſſel's being employed extremely doubtful, and indeed, moſt probably, adverſe to the intereſt of James

Were not the former ſucceſs of Ruſſel, his popularity, and the offence occaſioned by his diſmiſſion, ſufficient reaſons for determining William to recal him to his ſervice, independently of any direct and treacherous influence employed by the friends of James for that purpoſe? Is there any evidence for the aſſertion of Mr. Macpherſon, "that the adherents of the late king "inſinuated, that to reſtore Ruſſel to the command of the fleet "was to ſoothe the nation for the miſcarriages at ſea?" Do any of the cotemporary hiſtorians authoriſe this aſſertion, or aſcribe William's replacing Ruſſel to the advice of any perſon whatever?

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1693-4. Inquiry into the miſcarriages at ſea.

The commons, after an unanimous reſolution to grant a ſupply, and to ſupport the government, apparently entered with great earneſtneſs upon an inquiry concerning the miſcarriage of the fleet. They examined the petitions of the Turkey company to the admiralty for convoys, and copies of the inſtructions and orders ſent to the commanders of theſe convoys, and the commanders themſelves; and they at length reſolved, that there had been miſmanagement, but virtually acquitted the admirals, by putting a negative upon a motion to cenſure them [25]. The lords proceeded a ſtep farther in favour of the admirals, reſolving that they had done well in the execution of their orders [26]. In the courſe of the debates upon this ſubject, there appeared a great proneneſs to render it ſubſervient to the intereſt of party; the whigs evidently wiſhing to throw the whole blame upon lord Nottingham, and the tories upon Mr. Trenchard. The court, diſſatisfied with this partiality, became more reſerved in giving the information called for by the lords. They themſelves began to grow weary of the buſineſs, and it was at laſt ſuffered to drop, without yielding either to the nation or the court that ſatisfaction

whatever? The authenticity of the inſtructions to the counteſs of Shrewſbury is not called in queſtion; but it does not follow, that theſe were the cauſe of Ruſſel's being employed. The co-exiſtence of events is no evidence of cauſality, or reciprocal influence. It is ſubmitted to the deciſion of the impartial reader, whether the great probability of Ruſſel's being again employed, for the reaſons already mentioned, might not be the occaſion of James's anticipating the requeſt of Ruſſel, if he was engaged in correſpondence with him; and of alluring him to his ſervice, by giving him his ſanction, or rather his advice for doing a thing, which he was of himſelf very much diſpoſed to do.

[25] Journ. Commons, 17th November, 6th December, 1693.

[26] Journ. Lords, 10th January, 1694.

which

which they expected, from the earneſtneſs of both houſes in beginning an inquiry [27].

1693-4. Corruption diſcovered.

If the commons had been inclined to be troubleſome to the court, they would have found ample materials in the reports of the commiſſioners of accounts. From them it appeared, that above a million ſterling of arrears of wages was due to the ſailors; while lord Falkland, one of the commiſſioners of the admiralty, obtained for himſelf a grant of two thouſand pounds, out of money levied for the uſe of the navy. Large ſums had been expended for ſecret ſervices: penſions had been granted to many, to accommodate the king's political arrangements. It was matter of aſtoniſhment to obſerve, that admiral Ruſſel had received ten thouſand pounds for his ſervices, at a period when the merit of them had been called in queſtion, and when it was believed that he had fallen under the royal diſpleaſure. Conſiderable ſums had alſo been iſſued, to aſſiſt candidates in the intereſt of the court, in defraying the expence of their elections [28]. Theſe diſcoveries gave occaſion to debates, in which the conduct of individuals was ſeverely cenſured; but the actual infliction of puniſhment was confined to lord Falkland; who, after being reprimanded by the

[27] Upon a full and candid examination of all the facts relating to this buſineſs, it appears, that there had been either negligence or treachery in the admiralty, who did not communicate to the commanders the intelligence they had received of the ſailing of the Breſt fleet; that the admirals had been negligent in not endeavouring themſelves to obtain intelligence concerning that event; that after they had unexpectedly met the French fleet, they had acted with great preſence of mind, and had done all that could be done to ſave the tranſports. Ralph, vol. ii. p. 470-1. Lives of the Admirals, vol. ii. p. 392.

[28] Journ. Commons, November, December, paſſim. Grey's Debates, vol. x.

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1693-4. Lord Falkland ſent to the Tower.

houſe, was committed to the Tower, for having been guilty of a miſdemeanour and breach of truſt [29]. But neither the diſcovery of internal corruption, nor the recent experience of public misfortunes, had any effect in reſtraining the liberality of the commons, or diſcouraging their compliance with the court. In conformity to the king's deſire, ſix regiments of horſe, four of dragoons, and fifteen of foot, were added to the army. The whole of the ſupplies granted by this ſeſſion amounted to five millions four hundred and forty-ſeven thouſand two hundred and eighty-two pounds. A ſum of ſuch extent was the moſt ſubſtantial evidence of the good diſpoſition of the commons towards the court; nor was this diſpoſition leſs conſpicuous by what they did, than by what they avoided to do. Though the complaints from Ireland referred to ſtriking examples of the miſapplication of the forfeitures, and of abuſes committed by the agents of miniſtry there, yet every motion to inquire into them, or to redreſs them, was over-ruled [30]. No objection was made to the continuance of the war, which, it was believed by many, might at that period have been brought to a concluſion, upon terms honourable and advantageous to England [31].

Liberal ſupplies granted.

A ſhort

[29] Journ. Com. 9th, 16th, 19th Feb. 1694.

[30] Ibid. December and January, paſſim.

[31] The tories in general were believed to be averſe to the continuance of the war; and yet, whether it was from the dread of public cenſure, or of the irretrievable loſs of power, by diſobliging the king in his favourite point, they acquieſced in the moſt liberal grants of money, the augmentation of the army and navy, and all other meaſures tending to the prolongation of the war.

The internal diſtreſs of France, occaſioned by famine, rendered the French king deſirous of peace. Monthly Mercury, December

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A ſhort interruption to the good underſtanding which ſubſiſted between the king and the houſe of commons, was occaſioned by the reſolutions adopted by them, after he had a ſecond time refuſed his aſſent to a place bill, preſented with ſome money bills, which were extraordinary expreſſions of their bounty. A committee was appointed to conſider the ſtate of the nation; and they addreſſed the king, expreſſing their grief for his having rejected a bill neceſſary to the vindication of their honour: but when a motion was made to addreſs him again upon the ſame ſubject, it paſſed in the negative, by no leſs a majority than two hundred and twenty-nine againſt eighty-eight [32].

1693-4. The king refuſes his conſent to a place bill.

The moderation and good temper diſplayed by the commons in the courſe of this ſeſſion, could not be owing to any want of opportunity, or arguments of complaint againſt adminiſtration. The misfortunes of the nation abroad, the diſcovery of corruption at home, and the oppreſſions exercifed in Ireland, afforded abundant materials, if parliament had been diſpoſed to uſe them. Circumſtances, in every view ſo favourable to oppoſition, were however counteracted by peculiar cauſes, which operated ſtrongly upon individuals and parties. A conciſe detail of theſe cauſes may not be unworthy of attention, as they diſplay the character of the times, and exhibit a ſpecimen of what may be expected, in ſimilar ſituations, to produce the ſame effects.

December 1693. A memorial was preſented to the court of England, ſpecifying terms, which amounted nearly to the reſtoration of the moſt important places taken from the allies; but there was no mention of acknowledging the title of William, which probably was the cauſe of their not being liſtened to.

[32] Journ. Commons, 27th Jan. 1ſt Feb. 1694.

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1693-4. Cauſes of the compliance of all parties with the court during this ſeſſion.

1. The interval between the removal of one adminiſtration and the eſtabliſhment of another, is favourable to political tranquillity and the authority of the court. The approach of proſperity, or the recent attainment of it, naturally excite, in perſons of every ſtation, a flow of good humour, which diſpoſes them to civility and kindneſs towards all with whom they are connected, in the intercourſe of converſation or buſineſs. The ſmiles of the court, turned to the party in oppoſition, are conſidered as a token of future favour, and invite ſuch returns of complaiſance as open a channel for an entire and a cordial reconciliation; while thoſe, who are threatened with the loſs of power, become aſſiduous in expreſſions of reſpect and obedience to the prince, as the moſt probable means of preſerving or reſuming their ſtation. The court, the miniſtry, and oppoſition, were exactly placed in the circumſtances now deſcribed at the opening, and during the continuance, of the fifth ſeſſion of this parliament. The expectations of the whigs had been induſtriouſly cheriſhed, and at laſt their intereſt was conſiderably advanced, by the appointment of lord Somers to the great ſeal, and of Trenchard to the office of ſecretary of ſtate. But ſtill the reſolutions of the court ſeemed to be wavering; and lord Somers complained, that, in the diſtribution of law offices, he did not enjoy that influence which belonged to his appointment [33]. The hopes of the whigs were however ſtill kept alive, while the tories were not immediately driven to deſpair. The lieutenancy of London, which had been changed

[33] Somers' letter to king William, Miſcellaneous State Papers, vol. ii. p. 426.

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in favour of the latter at the beginning of this parliament, was gradually reſtored to the former; and the aſcendency was again in their hands at the opening of this ſeſſion. The removal of lord Nottingham, upon the eve of the ſeſſion, ſeemed to confirm the moſt pleaſing expectations of the whigs; but the protracted vacancy in that office again excited ſuſpenſe, and promoted an emulation of both parties, in ſubmiſſive and compliant behaviour to the court. The tories maintained a majority in the houſe of commons; but the whig intereſt was increaſing in the adminiſtration, and among the people. If the former had obſtructed the buſineſs of the nation, and thwarted the meaſures of the court, it might have provoked the king to diſſolve the parliament, by which the preeminence of the whigs would have been confirmed.

2. The tories, at the preſent intereſting criſis, had not merely to ſtruggle for the retention, or the recovery of power; but to exert no ſmall degree of addreſs and accommodation to circumſtances, in order to ſcreen the moſt reſpectable members of their party from legal cenſure, and public diſgrace. The misfortunes, or miſcarriages of the campaign 1692, had been divided between lord Nottingham and Ruſſel, and the people acquitted or condemned, according to their perſonal or political attachments: but the miſcarriages of the laſt naval campaign centered entirely in the tories. Of the three commanders of the fleet, two, namely Killegrew and Delaval, were in their intereſt. If the commanders were acquitted, the guilt reverted to lord Nottingham, who was the head of their party.

3. The

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3. The correſpondence carried on at this period between James and many perſons in England [34], who were either candidates for office or already inveſted with it, promoted conceſſions to the will of the court; which could not have taken place, if conſcious innocence had emboldened them to avow ſuch principles, and purſue ſuch meaſures, as they believed to be agreeable to the intereſt of the kingdom. None are ſo ſtudious to maintain the appearance and external forms of honeſty, as thoſe who are ſecretly convicted of tranſgreſſion. It has often been obſerved, that thoſe ſervants, who have been afterwards detected in ſecret fraud and breach of truſt, had long deceived their maſters by the apparent exactneſs of their fidelity, and the oſtentatious diſintereſtedneſs of their conduct, in the diſcharge of ordinary and frivolous duties. Treacherous miniſters will be always moſt forward in profeſſions of loyalty and attachment to their prince. There were few about the court of William, who were not occaſionally inveigled by the agents of James. Conſcious of engagements to him, they muſt have lived in a perpetual dread of detection, which rendered them anxious to preſerve fair appearances; and to catch every opportunity of diverting the ſuſpicion, and obtaining the confidence of their maſter. This correſpondence did not elude his penetrating eye; but, dexterous as he was in the art of political chemiſtry, he extracted medicine from poiſon; and made their treachery the means of counteracting the purpoſe for which it was encouraged by his rival. By generoſity, by threats, by availing himſelf of the intelligence of conſpirators, he conſtrained thoſe very perſons, who were the moſt able and the moſt diſ-

[34] See Chap. XV.

poſed

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poſed to pull him from his throne, to become the chief inſtruments of ſecuring his poſſeſſion of it. If there had been more integrity in his miniſters, and more attachment to his perſon, his life and government might have been expoſed to leſs hazard; but he would not have enjoyed the ſame free and uncontrolled ſcope for purſuing his favourite meaſures, as he did, while thoſe who ſerved him were under the perpetual alarm of being detected, and becoming either the victims of his vengeance, or the monuments of his mercy.

4. There is ſtrong reaſon to conclude, from external appearances and from the effects produced, that not only fair induſtry and addreſs, but that indirect means were employed by the court, to procure the conſent of the leading members in both houſes, to meaſures which did not accord either with their private ſentiments, or with the views of their party [35]. The marquis of Carmarthen ſtill continued at the head of the council, and ſupported the court. The earl of Rocheſter, increaſing in favour with the queen, was not likely to thwart the inclinations of her huſband, to which ſhe was ever ſubmiſſive. The marquis of Halifax, who had entered almoſt on every occaſion into the views of oppoſition, ſince the commencement of this parliament, now ſtood forth an advocate for the neceſſity of taxes and the continuance of the war [36]. Theſe, and many ſimilar circumſtances, created a ſuſpicion that expectation was fed, or preſent intereſt gratified, in a way not leſs effectual, than by the open diſtribution of penſions and offices.

[35] Burnet, 1692.

[36] Ralph, vol. ii. p. 467.

The

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1694.

Preferments in favour of the whigs.

The king put an end to this ſeſſion of parliament; and, ſoon after, the victory and triumph of the whigs were completed. Lord Shrewſbury had already accepted the ſeals: the admiralty and treaſury were changed in favour of the ſame intereſt: Mr. Montague was made chancellor of the exchequer. Even titles of honour, diſtributed with a profuſe hand, were almoſt entirely confined to this party: of five dukes now created, four were whigs [37].

4th March.

April.

3d May.

The king ſailed for Holland in the beginning of May. The confederate fleet was early at ſea, but did not perform any important ſervice. The French fleet induſtriouſly avoided coming to an engagement. An attempt to deſtroy the harbour of Breſt, conducted by lord Berkley and general Talmaſh, proved unſucceſsful, from the intelligence of that deſign having been conveyed to James by the earl of Marlborough [38]. The bombardment of Dieppe and Havre de Grace ſpread great alarm over the adjacent coaſt of France; but redounded little to the honour, or advantage of the Engliſh nation. The only naval ſucceſs was the deſtruction of a large fleet of merchantmen in Bertram bay, by captain Pritchard of the Monmouth, attended by fire-ſhips.

June.

July.

No important action happened in Flanders. The French army under the dauphin, by expeditious marches, obtained poſſeſſion of ſome advantageous poſts on the Scheld; and prevented the allies from accompliſhing their deſign of penetrating into French Flanders.

Auguſt.

[37] Tindal, vol. ii. p. 469.

[38] Letter of lord Churchill to James, Macpherſon's State Papers, 1694.

A de-

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A detachment from the allied army, commanded by the prince Tſerclaes de Tilly, took the town and caſtle of Huy; and drove the French out of the biſhoprick of Liege. 1694. September.

In Catalonia, the Marſhal de Noailles, with a ſuperior army, forced the Spaniards to retreat; ſtormed and plundered the town of Palamos, beſieged and took Gironne, Oſtelric, Caſtle-folet; and intended to have finiſhed his career of victory with the ſiege of Barcelona; but was prevented by the arrival of the Engliſh fleet, commanded by admiral Ruſſel. May. June.

In Piedmont, ſecret negociations, carried on between the French and the duke of Savoy, rendered both armies inactive.

On the Rhine, prince Lewis of Baden failed in repeated attempts to bring the French army, commanded by the marquis de Lorges, to an engagement. He was ſucceſsful in getting poſſeſſion of Wiſelock; and, after deſtroying ſome of the French magazines, repaſſed the Rhine [39].

The king arrived from Holland on the 9th of November; and the parliament met on the 12th. He referred to the ſucceſs of the campaign in expreſſions of moderation, ſuitable to the true ſtate of events. The neceſſity of large ſupplies was urged; and it ſoon appeared, that the king was determined to make a very deſirable conceſſion to the nation, in order to encourage their liberality. An act for ſhortening the duration of parliaments run through the forms with celerity; and almoſt without any oppoſition in either houſe [40]. The ſupplies kept pace with the trien- Meeting of the ſixth ſeſſion of the ſecond parliament. An act for triennial parliaments. Supplies.

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[39] Life of William, vol ii. Hiſtoire de France, tom. iii. Lives of the Admirals, vol. ii.

[40] Though it was enacted by the bill, that no parliament, after the preſent, ſhould be continued more than three years; yet

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nial act, and exhibited the reciprocal good will, which now subsisted between the sovereign and his parliament. Near five millions were cheerfully granted for the expences of the war [41].

Death of queen Mary. Her character.

The death of the queen, on the twenty-eighth of December, interrupted the proceedings of parliament, and was sincerely lamented, both on account of her private virtues, and the shock which it was likely to give to the new government. Few characters have been more extolled by friends, or more virulently traduced by enemies, than that of Mary. Unconnected with, and uninfluenced by party, we can be at no loss to perceive, that her friends have founded their encomiums, upon the evidence of a temper and qualifications honourable to the human character; while the detraction and calumny of her enemies referred to facts extremely doubtful, and to circumstances, occasioned by the peculiar difficulties of the part she was called upon to act. She possessed, in an eminent degree, all those accomplishments and graces, which constitute the merit of her sex in domestic life. Her affability, mildness, and delicacy, captivated the affections of her companions and dependants. Such dexterity and prudence in the management of parties, such discretion and activity in the most critical state of affairs, have rarely been found in a person, so little addicted to ostentation, and so averse to interfere in public business. So devoid was she of ambition, and so indifferent to personal grandeur, that she not only rejected the services of those,

yet the present subsisting parliament might be continued, if the king pleased, till the first of November in the following year. For this reason a protest was entered against it in the Journals of the Lords, but it was signed only by four peers. Journ. Lords, 18th Dec. 1694.

[41] Journ. Commons, Nov. Dec. 1694 Jan. &c. 1695

who

who were diſpoſed to prefer her right to the crown before that of her huſband, but ſhe would not even participate of the adminiſtration while he was in the country, nor did ſhe ſo much as aſpire at the influence, to which her ſtation and merits entitled her. Her exemplary devotion, her zeal for the proteſtant religion, her conſcientious diſpoſal of eccleſiaſtical preferments, her patronage of uſeful deſigns, and application to good works, render her memory precious to the friends of religion and virtue. If, upon particular occaſions, natural affection ſeemed to be languid, or ſuſpended; if ſhe appeared harſh and undutiful, by conſenting to the dethronement of her father, or by eſpouſing, with apparent animoſity, the quarrel of her huſband with her ſiſter, her conduct in ſuch inſtances may be fairly aſcribed, not only to a reſpect for her duty as a wife, but to the ſingularly critical ſituation of him, to whom ſhe ſtood in that relation. Nothing leſs than the moſt cordial and unequivocal approbation of the conduct of her huſband, could have obtained, or preſerved to him, that authority, which he derived from his relation to her. Whatever painful emotions ſhe might feel, from the diſgrace of her father, or from coming to a breach with her ſiſter, yet prudence required the concealment of them, to ſecure the reputation and ſafety of that perſon, who was the deareſt object of her affection, and the proſperity of that cauſe, which, from the pure influence of principle, ſhe was zealous to promote.

1694.

The death of the queen gave a new ſpring to the hopes of James and his friends [42]. Her popularity,

The hopes of the friends of James excited.

[42] Life of James, 1695.

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pularity, and her prudence in domeſtic life, and in the exerciſe of government, had hitherto divided the affections of many, whoſe principles were favourable to the lineal ſucceſſion, and diſcouraged the exertions of her father's adherents. The members of the preſent parliament, deeply involved in the ſuppoſed crime of William's uſurpation, by the meaſures they had taken to eſtabliſh it, and by the offices and emoluments which they derived from his authority, were induced, by every conſideration of ſafety and intereſt, to keep a vigilant eye upon the friends of James, and exerciſe their public and private influence, to defeat every plan for reſtoring him. But it was naturally expected, that, upon the death of Mary, a great proportion of the influence, which had hitherto ſupported her huſband, would revert to her father. Under this impreſſion, the approach of a new election was deemed an event ſingularly favourable to his intereſt; and it was believed, that repreſentatives would be returned, unconnected with the preſent government, and free from all ties to give it any ſupport. The triennial bill, however, as we ſhall ſoon have occaſion to ſhew, contributed, with other cauſes, to produce effects, the reverſe of thoſe, which ſeemed ſo probable in ſpeculation.

Inquiry into the proſecution of the gentlemen in Lancaſhire, ſuſpected of a conſpiracy againſt government.

An unſucceſsful attempt was made, in the courſe of this ſeſſion, to caſt an odium upon the king and miniſtry, by bringing under the inſpection of parliament a proſecution, carried on the preceding ſummer, at the inſtance of government, againſt ſeveral gentlemen of Lancaſhire, for receiving commiſſions from James, and making preparations for an inſurrection in his favour. The proſecution had failed for want of evidence of the charges, and one of the informers had declared

declared, under the ſolemn profeſſions of repentance, that the whole was a malicious plot, which they were encouraged to invent by the ſolicitations and reward of government. The trials were diſcontinued, and unfavourable impreſſions of the king and his miniſters left upon the minds of the people. To render their triumph more public, and more diſgraceful to government, the gentlemen, who had been proſecuted, now brought their complaint into parliament, under the auſpices of oppoſition. They were diſappointed of ſucceſs; for, after the examination of evidence, and of various papers relative to the ſubject, both houſes agreed, that there had been ſufficient ground for inſtituting the proſecutions, though they had not terminated in the conviction of the perſons ſuſpected [43].

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Some remarkable diſcoveries, in the courſe of this ſeſſion, made it evident, that the jealouſy of the nation concerning the prevalence of corrup-

Diſcovery of corruption.

[43] In political hiſtory events often occur, ſo myſterious and perplexing, as to exerciſe ingenuity in balancing the weight of evidence, in order to fix an opinion concerning any matter in diſpute. The Lancaſhire plot was of this kind, and divided, not only, the ſentiments of the nation, but of men of the ſame political principles. Moſt of the friends of William, notwithſtanding the iſſue of the trials, gave credit to the exiſtence of the plot. The partiſans of James, many who ſtood neutral to any party, and even ſome of the friends of William, diſbelieved it. As the infamous character of Taffe, who firſt joined in the information, and afterwards retracted, not without ſuſpicion of his being diſappointed of the rewards he expected, or bribed by the friends of the Lancaſhire gentlemen, ſtill left many in doubt with reſpect to the innocence of the latter, notwithſtanding the deficiency of proof, ſo the coincidence of the ſuppoſed crimes, with the actual intrigues of the agents of James, in England, and with the tenour of the correſpondence held with his friends there at that period, will now remove every doubt concerning its reality.

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tion in parliament, was but too well founded, and increaſed their impatience for its diſſolution. The unexpected and ſudden concluſion of the buſineſs of the Eaſt-India company, and of the London orphans, which had been depending during ſucceſſive ſeſſions, awakened the ſuſpicion of corrupt influence. From an inſpection of the books of the Eaſt-India company, and the examination of witneſſes, it appeared, that great ſums of money had been paid to members of parliament, and perſons of intereſt at court, for obtaining the renewal of their charter: and that particularly five thouſand pounds had been left with a ſervant of the duke of Leeds, upon ſtrong circumſtances of ſuſpicion, that it had been done with his conſent, or accepted by him. The commons drew up articles of impeachment againſt the duke; but were prevented from proceeding in them, by the diſſolution of parliament.

The ſame laudable ſpirit of inveſtigation brought to light another example of corruption, which, as it was attended with clearer evidence, reflected, at the ſame time more immediately upon the houſe of commons. The ſettlement of the debt, due to the orphans by the city of London, which had been ſolicited in vain during ſeveral ſeſſions, was at length obtained. The credit of parliament for integrity and juſtice muſt have been ſunk to a low ebb, when ſuſpicion went abroad, that this had not been accompliſhed without nefarious influence. The ſuſpicion was but too well founded, for ſufficient evidence was produced, that ſir John Trevor, the ſpeaker of the houſe of commons, had received a bribe of a thouſand guineas, for the ſervice he had done in

this affair [44]. For this offence he was justly expelled the house.

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1695.

This session of parliament ended by prorogation on the third of May; and the king, after having vested the regency in the hands of commissioners, departed to Holland.

Parliament prorogued.

[44] Journ. Com. 12th, 13th, 14th, 16th March. State Tracts, T. W. The persons in the government of the city of London had spent very large funds, which had been bequeathed for the maintenance of orphan children. It is asserted, that these funds were infamously squandered in extravagant entertainments and rejoicings in the city, on the restoration of Charles II. Cocke's Detection. By the act now obtained, the lord mayor was enabled to settle a fund for the raising money to pay the annual interest, at four per cent. for the whole debt.

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Obſervations upon political Revolutions in general.—Peculiar Dangers which threatened the Revolution in England.—Correſpondence with the Court of Saint Germains.—Evidence of it.—Reaſons for Caution in drawing Concluſions with reſpect to the Guilt of Individuals engaged in that Correſpondence.—Their different Motives and Intentions.—Doubts of the Sincerity of his Correſpondents, expreſſed by James and his Agents.—Strong Reaſons for ſuſpecting that ſome of them were not ſincere.—Concluſions from the whole.—Cauſes of preventing the extreme Dangers impending over the Government of England.—Backwardneſs of Lewis in aſſiſting James.—Diviſion of Sentiment among his Friends.—Increaſing Reputation of William—and Contempt for the Character of his Rival.—Various Events which contributed unexpectedly to ſtrengthen the new Government.

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Obſervations upon political revolutions in general.

REVOLUTIONS in ſtates and kingdoms exhibit both the moſt pleaſing, and the moſt diſguſting portraits, of human character. When artificial ſubordination, eſſential to regular government, is ſuſpended, genius and abilities are called forth to a fair competition for the prize of honour; and aſcend to the higheſt pitch of improvement, and ſplendour. The hiſtory of every country, in this ſituation, abounds with examples of eloquence, courage, integrity, and patriotiſm. But the ſame cauſes alſo operate, in the ſame ſituation, to increaſe corruption and crimes.

crimes. Every example of change, by weakening the authority of government, removes one of the moſt powerful reſtraints upon the unruly paſſions of men; and, by preſenting new temptations and covers to ambition and avarice, conducts their votaries to the moſt conſummate depravity.

The ſudden elevation of individuals, from the moſt obſcure ſtation, to power and proſperity, excites the envy and emulation of thoſe who ſtood originally, and ſtill remain, upon the ſame level. It is only by the continuance of anarchy, that ſuch perſons can hope to gratify theſe paſſions, and to raiſe their own importance; and hence, an interval of confuſion and violence uſually takes place, between the downfal of the ancient, and the eſtabliſhment of the new government. Many, who begin oppoſition to eſtabliſhed government from the pureſt principles of patriotiſm and virtue, afterwards come to dread exceſs of innovation; and to diſcover ſuch ſelfiſhneſs and treachery in their aſſociates, that they grow weary of the ſtruggle, and are tempted to reſign more liberal plans, for ſecuring perſonal ſafety, and the intereſt of their families.

The diſappointment of the multitude, who had been encouraged by their leaders, to expect a total exemption from inconvenience, or a perfection in executive government inconſiſtent with the infirmities of human nature, render them at laſt cold and indifferent about ſupporting thoſe meaſures, which were firſt promoted by their zeal and activity. When the fermentation, excited by tyranny and oppreſſion, had ſubſided, a veneration for ancient cuſtoms reſumes its influence over the mind, and cheriſhes a general inclination in the people, to return to the civil inſtitutions and hereditary authority, which have been

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consecrated by the remote and uninterrupted submission of their ancestors. Hence the great uncertainty of the success of those, who embark in any plan for accomplishing a revolution in government, or of maintaining such a revolution, after it has been accomplished.

Peculiar dangers which threatened the revolution in England.

With these general causes peculiar circumstances concurred, to endanger the stability of the new settlement in England, and to render William's tenure of power extremely difficult and precarious. A just estimate of these is necessary, to understand the true state of political affairs, and the characters of the most celebrated persons, at the period of which I treat. I have therefore reserved the detail of them for a separate department of this work, in order that I might exhibit them with more perspicuity and minuteness, than what could have been done in detached views, and by a strict adherence to chronological order.

William's aspiring to royal dignity, seemed inconsistent with the terms of his declaration, and planted the seeds of discontent in the breasts of many, who had heartily concurred in soliciting his interposition to obtain the deliverance of the nation. The settlement of the crown upon his head, independent of the right which he derived from his wife, had been long opposed by one branch of the legislature; and their consent to it at last was yielded with reluctance, and in compliance with necessity.

The preferment of some, who had been accessory to the most reprehensible measures during the preceding reign, and the disappointment of others, who had been useful instruments in the revolution, provoked the resentment of many of his new subjects.

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Where neither claims to favour, nor complaints of diſappointment ſubſiſted, motives of prudence might induce perſons of the firſt influence, to withhold their ſupport from a government ſurrounded with hoſtility and danger. The conſtitution of the king, feeble and ſickly; his fatigues and dangers, in the camp, and in the field of battle; the formidable preparations of France for reſtoring James, and the ſtrong attachment of a great part of the nation to his family, were circumſtances, which, at a fair rate of calculation, depreciated the condition of thoſe, whoſe proſperity or expectations depended upon the ſafety, and continuance of the new government.

In the progreſs of this reign, events unavoidably occurred, which produced a great alteration in the ſentiments and attachments, both of individuals and parties, with reſpect to the new ſettlement; and which emboldened the reſolutions, and encouraged the conſpiracies, of the diſaffected. The early diſſolution of the convention parliament, however neceſſary that meaſure might be, rankled in the breaſts of the whigs; and, for ſome time, threw the king into the arms of a party, who ſupported him from fluctuating motives of intereſt, or from the more laudable principle of reſpect to their religion, without any tie of perſonal attachment. The apparent violation of external forms of juſtice, and a neceſſary ſeverity, exerciſed in the puniſhment of ſome of thoſe perſons who had been convicted of conſpiracies, were unfairly compared with examples of tyrannical oppreſſion in the preceding reign, and, by changing the object of indignation, impaired that ſecurity, which the new government would otherwiſe have derived from the confidence and good opinion of the people.

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The nation in general had connected the idea of ſettling the crown upon William, with that of humbling the power of France, and they had fondly promoted his elevation, as he appeared to be the fitteſt inſtrument of gratifying their ambition or reſentment [1]. But the immenſe burden of taxes neceſſary to the ſupport of a war, little compenſated by the glory of victory, or the proſpect of future and ſubſtantial advantage, made the continuance of it unpopular, and divided the ſentiments of the prince and his ſubjects. The detection of groſs corruption and peculation in perſons veſted with the higheſt miniſterial offices weakened the reputation of government, and rendered the virtuous and independent part of the nation leſs anxious, when they heard of the dangers with which it was threatened. Upon the review of all theſe circumſtances, we are leſs ſurpriſed, when we read of the variable ſentiments and inconſiſtent conduct, aſcribed to individuals and parties, or of the plots, the conſpiracies, and near approaches to another change of government, which fill the period immediately ſubſequent to the Revolution.

Correſpondence with the court of St. Germains.

The early and uninterrupted correſpondence between the exiled prince and many perſons of the firſt rank and influence in England, perſons who were employed in the court of William, as well as thoſe who were in oppoſition to it, is a diſcovery lately opened to the public; and, in all its circumſtances, may be conſidered as one of the moſt curious and intereſting occurrences in the political annals of any nation. While the

[1] The people of England in general entertained the moſt ſanguine expectations of the ſucceſs of the war with France: odds were laid in many hundred wagers, that king William would be in France before Chriſtmas 1689. Oldmixon, vol. ii.

obſcurity,

obſcurity, which has hitherto reſted upon this ſubject notwithſtanding multiplied chances of detection, excites ſurpriſe; the number and eminence of the perſons engaged in a correſpondence with the court of Saint Germains; and the contradiction it exhibits, between their true and aſſumed characters, give riſe to ſome of the moſt unpleaſing, though, perhaps, if properly improved, not the moſt unprofitable feelings and reflections that can occupy the mind.

No ſooner was William placed upon the throne, than James received the ſtrongeſt aſſurances, not only of the ſteadineſs and perſevering loyalty of thoſe who never had deſerted him, but of the repentance and returning affections of many perſons of diſtinction, who had been moſt active in accompliſhing the Revolution. Individuals of every party were addreſſed by the agents of James in England, and ſeemed to liſten, with a favourable ear, to propoſals for re-eſtabliſhing his authority. Stated meetings were held in London, to which perſons, whoſe loyalty to William was not ſuſpected, and who were inveſted with offices of the higheſt truſt, reſorted, and, in concert with the known friends of James, conſulted concerning the moſt effectual plans for promoting his intereſt.

Others gave a more unequivocal and dangerous teſt of their attachment to the exiled king, by entering into epiſtolary correſpondence with him, and ſoliciting his inſtructions with reſpect to the conduct he wiſhed them to obſerve, in order to afford them an opportunity of confirming the ſincerity of their profeſſions, by actual obedience to his will. Many original letters, now publiſhed, place beyond poſſibility of doubt, the duplicity, ſelfiſhneſs, and treachery, of ſome of thoſe perſons, who are held forth by contempo-

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rary hiſtorians, as having the ſtrongeſt claim to the praiſe and gratitude of their country, for their ſervices in accompliſhing and maintaining a revolution of government, ſo important to national liberty and happineſs [2].

Evidence of it.

However unwilling we may be to yield to impreſſions, which not only tarniſh characters recommended to us by the prejudices of education and by patriotic gratitude, but which bring diſgrace upon human nature, yet there is not the ſhadow of reaſon for ſuſpecting the authenticity of the collection of letters between James and his correſpondents, and the various papers and memorials relative to his affairs, lately publiſhed by Mr. Macpherſon. From evidence as clear and ſatisfactory as the nature of the thing can admit, we are bound to receive theſe letters, as genuine copies of original letters written by the perſons to whom they are aſcribed. If the hypotheſis of their having been forged, either at an earlier or later period, could enter into the imagination of any candid enquirer after truth; if any purpoſe of ſuch forgery could be aſſigned; yet there are various concomitant circumſtances, which, together with ſtrong internal evidence, confirm their authenticity, and demand a due reſpect from every perſon deſirous to underſtand the hiſtory and tranſactions, to which they relate. Anecdotes, which have deſcended to the preſent times through the channel of tradition, the teſtimony of contemporary authors, and the light which the contents of theſe letters throw upon political events, myſterious at the period of their occurrence, all conſpire to confirm the accounts of the intrigues, the treachery, and the plots,

[2] Life of James, 1692. Extract 1ſt. Macpherſon's State Papers, 1692-3-4-5-6.

which

which they contain, and warrant our admiſſion of them, with certain qualifications, as a legitimate proof of hiſtorical facts. CHAP. XV.

Beſides the evidence of attachment to James, derived from the letters of ſo many perſons, who were in the courſe of correſponding with him, his agents in England tranſmitted the names of others, who had repeatedly given the ſtrongeſt verbal aſſurances of their willingneſs, to co-operate in any plan for promoting his views of recovering the throne. Among theſe we find tne names, not only of perſons of noble rank, and of extenſive property and influence, but of ſome, who were intruſted with reſponſible offices and enjoyed the power and opportunity of carrying their treacherous deſigns into execution. Lords lieutenants of counties, admirals, generals, privy counſellors, are mentioned as ripe for revolting againſt the prince under whom they held their commiſſions. Many of the clergy who had taken the oaths, as well as thoſe who declined to ſwear allegiance to William, are repreſented as ſo deſperately diſaffected to his perſon and government, that ſir John Friend, who afterwards ſuffered for treaſon, undertakes to bring a whole regiment, conſiſting of that order, to ſupport the title of James, as ſoon as he ſhould ſet his foot in England. The army and navy are deſcribed as prone to revolt; the former diſguſted by the partiality of their new ſovereign to foreigners, the latter juſtly irritated by the irregular and deficient payment of their wages. The moſt opulent and populous cities ſwell the catalogue of the friends of James, and it ſhould ſeem, that nothing but his own courage and exertion were neceſſary to

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to re-eſtabliſh him in the authority from which he had fallen [3].

Such is the general tenor of the letters and memorials, which paſſed between James and his correſpondents and agents in England, publiſhed by Mr. Macpherſon in his firſt volume of State Papers.

Reaſons for caution in drawing concluſions with reſpect to the guilt of individuals engaged in that correſpondence.

Although there can be no reaſon to ſcruple about admitting theſe, agreeably to the aſſertion of the publiſher, to be fair copies of the original letters and papers, the titles of which they bear, yet very different opinions may be entertained of the meaſure and force of evidence they convey, either with reſpect to the ſtate of political events, or the characters of perſons concerned in them. If circumſtances, recently brought to light, have, in any one inſtance, conſtrained us to renounce an opinion, to which we formerly adhered with fondneſs and obſtinacy, this may be a reaſon for our being more diffident with reſpect to other opinions, to which we are equally partial; but it cannot be a ſufficient reaſon for utterly reſigning them, till we have ſcrupulouſly examined every argument, which tends either to ſupport or confute their authority. Few perſons, however, are ſo guarded, as to reſtrict the influence of analogical reaſoning within its proper limits, and to make a diſtinction in judging of caſes, where the ſame external appearances preſent themſelves to the eye, though the intrinſic circumſtances would often be found, upon patient inveſtigation, to be totally and eſſentially different. A perſon, who has had the misfortune to detect the diſhoneſty

[3] Sir George Barclay's Memorial, 28th Dec. 1693. Captain Williams, ibid. Memorial preſented at Verſailles, 4th January 1694. Propoſals, from the earls of Montgomery, Aileſbury, Yarmouth, &c. Macpherſon's State Papers.

of

of a ſervant in whoſe fidelity he abſolutely confided, is too ready to harbour ſuſpicions and miſconſtrue appearances, to the interruption of his own tranquillity and the injury of others, who have been invariably faithful and diſintereſted in the diſcharge of the truſts committed to them. The palpable and incontrovertible treachery of a few individuals, who had been long dignified with the name of patriots, too readily diſpoſes the mind to acquieſce, without waiting for proof, in the groundleſs calumnies, which have been levelled againſt immaculate characters. In order to form an impartial judgment of the ſtate of politics, and of the conduct of individuals and parties, we ought to weigh, with ſcrupulous exactneſs, every particle of evidence adduced upon either ſide of controverted queſtions, and carefully to diſcriminate between thoſe circumſtances, which eſtabliſh a ſimple, poſitive, and direct proof; and that ſpecies of evidence, which ariſes from the opinion, prejudices, and ſanguine views, of perſons deeply intereſted in the ſcenes which they deſcribe, and who muſt have been convicted by their own minds of that guilt, in which they are ſo anxious to aſſociate others. A great diſtinction ought therefore to be made, between thoſe actually found in correſpondence with the court of Saint Germains, and thoſe, who are only mentioned by agents as favourable to that intereſt, and approving of plans communicated to them for promoting it. There may be various reaſons for ſuſpecting the ſincerity of perſons of the laſt deſcription, in the ſentiments and attachments they profeſſed, while there can be little or no reaſon for entertaining any doubt, with reſpect to the guilt of perſons of the firſt claſs, who were perſonally engaged in correſpondence with James,

and

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and ſpontaneouſly tendered their ſervices. The agents of James, deſirous to ſet off their own merits to the beſt advantage and to obtain his approbation, were under a ſtrong temptation to deſcribe their ſucceſs in the moſt flattering ſtrains. A ſincere zeal for the intereſt of their maſter would naturally render them leſs ſcrupulous in adhering to truth, while they tranſmitted to him ſuch accounts of his affairs as were calculated to encourage his heart, naturally prone to deſpondency, and to allure the aid of the French king, eſſential to the ſucceſs of any plan for raiſing their depreſſed fortune [4]. Had Lewis believed that the number of James's adherents was ſo conſiderable, and their zeal as ardent, as repreſented by his agents, it is difficult to conceive, notwithſtanding the defeat of his fleet at La Hogue, why he ſhould have ſo long delayed, and, after all, with ſo little earneſtneſs attempted a ſecond invaſion of England. How could he have turned his arms to better account, than by reſtoring James to the throne of his fathers, and transferring the reſources of England, from the diſpoſal of an irreconcilable and powerful enemy, into the hands of his firmeſt friends? Would not ſuch a meaſure, more effectually than all his victories upon the continent, have overturned that confederacy, of which William was the life and ſpirit; and who, more than all the other members of it, controlled and thwarted his ambitious plans? Some of the perſons in England, who were affectionately attached to the intereſt of James, but who exerciſed greater caution and deliberation in conducting their inquiries about the tem-

[4] Mr. Noſeworth's Report 1694. Charneck's Report 1695. Ibid.

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per and inclinations of the people, or who had better opportunity of information, are far from holding out ſuch alluring views of ſucceſs, or maintaining ſuch confidence in the power and multitude of his friends, as are conveyed by the general ſtrain of the memorials and letters tranſmitted to him by his agents [5].

Their different motives and intentions.

There are alſo obvious and plauſible reaſons for calling in queſtion the true intention of many of thoſe, who are enrolled among the partiſans of James, and even repreſented as taking a more active part in his cauſe, by admitting his agents into their company, and occaſionally conſulting with them upon the ſtate of his affairs. Perſons of a timid diſpoſition, or anxiouſly attentive to their private intereſt, whatever their affections and wiſhes might be, would be extremely fearful of incurring his reſentment, leſt he ſhould again fill the throne of England; and they would be equally cautious of excluding themſelves from future preferment, either by openly diſapproving of, or revealing, any ſchemes imparted to them by his friends, in full confidence of their being faithfully attached both to his perſon and the intereſt of his family. It ought alſo to be obſerved, that the connection of blood and alliance would naturally have a conſiderable influence in directing the ſolicitations, and raiſing the hopes, of the family at Saint Germains. The earl of Marlborough was uncle to the duke of Berwick, and married to the ſiſter of lady Tyrconnel. Lord Middleton, one of James's ſecretaries, was uncle-in-law to the earl of Shrewſbury. The intimate connection of theſe, and others in adminiſtration,

[5] An anonymous Letter from a Perſon in England to his Friend at Paris, 17th Auguſt, 1694. Mr. Mac Adams's Letters, ibid.

with

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with perſons who adhered to James in his exiled ſtate, would expoſe them to the more frequent acceſs and importunity of his agents, while, from the motives already recited, we may believe they would be unwilling, if they could avoid it, to fall into deſperate terms with that intereſt, which might, in the courſe of chances, prevail. From all theſe conſiderations it was naturally to be expected, that individuals, who were addreſſed by the agents of James, would often be repreſented as conſenting to, or participating of, meaſures, to which they were by no means friendly in their hearts [6].

While the agents of James in England embraced every opportunity to avail themſelves of the diſappointments and paſſions of private perſons and parties, it is no wonder, if, in an un-

[6] Nothing can place in a ſtronger light the inſincerity, or the want of power, of James's adherents, than the inconſiſtency of their conduct with their own profeſſions, and with the inſtructions which they received from him. Take, for an example, the fifth ſeſſion of the ſecond parliament, which met 7th November, 1693. During the whole of this ſeſſion, the commons were obſequious to the inclinations of the court, and moſt liberal in granting ſupplies; while the inſtructions, ſent by James to his friends at this very period, ſuppoſe their intereſt to have been conſiderable, and require them to exert themſelves in oppoſition to the court, particularly by obſtructing the ſupplies. "Try all "the ways you can to hinder the prince of Orange from getting "money, eſpecially the general exciſe; and, if it be not poſſi- "ble to hinder him from getting money, endeavour to retard it, "that it may make all his preparations for the next campaign "as late as may be." Inſtructions to the Church of England, 16th October, 1693.

"Endeavour by all means to embroil the affairs of the prince "of Orange, and that his majeſty's friends join heartily toge- "ther to croſs his inclination and intereſt in all things, and that "they be ready to join with any party which ſhall appear againſt "him, &c. &c." Macpherſon's State Papers, 1693. To the ſame purpoſe, a paper entitled, Inſtructions to the Earl of Danby, Lord Godolphin, and Churchill.

guarded

guarded moment, and under the impreſſion of reſentment, their addreſſes were ſometimes entertained with ſuch apparent approbation, as encouraged them to add, to the liſt of their friends, the names of individuals, who probably ſoon repented of any raſh reſolution they might have formed, and would not have ſtood to it if they had been actually put to the trial. For ſeveral years after the Revolution, a change of government in England was an event at leaſt as likely to happen, as a change of miniſtry is now, in our preſent ſtate of political tranquillity. No wonder then, if perſons, who were not ſuſceptible of ſtrong attachments, ſhould be diſpoſed to do every thing for ſecuring their own future ſafety and intereſt, whatever the event might be. It may be farther obſerved, that men of very good intentions with reſpect to the public, who were ſtrangers to that ſecret information, which was the ground of public meaſures, might often be at a loſs where to fix their wiſhes, or what conduct they ought to purſue, as moſt effectual to promote the welfare of their country. The critical ſtate of government ſometimes obliged the king to take meaſures apparently contradictory to that patriotic ſyſtem, which he profeſſed to eſtabliſh. Such perſons might perhaps think it probable, that, by a new revolution, more liberal conceſſions might be obtained from the crown in favour of the people, and the conſtitution farther improved. But what we are principally to attend to, with reſpect to thoſe who did not act from the pure influence of principle, is, that their compliance with the engagements, into which they entered with James or his agents, was evidently to be guided by the ſtream of accidents, and the views they entertained of his future ſucceſs. If

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an opportuniry occurred, of acquiring emolument and honour under the preſent government, they would not neglect it. This was certainly the ſafe ſide. Should government change, they might plead neceſſity, perhaps even conſcience, for having been faithful to the truſt repoſed in them. Under theſe impreſſions, the earl of Marlborough, Ruſſel, and others, advanced their own fortune and reputation, and the glory and proſperity of England; and contributed, without intending it, to the excluſion of the prince and family, whom they wiſhed to replace on the throne.

Coincident circumſtances produce different degrees of belief, with reſpect to the guilt of the perſons, accuſed of having carried on ſecret correſpondence with James, while they maintained the profeſſion of allegiance to William, and even held offices of truſt under him. The conduct of Marlborough, who had formerly deſerted James, after having been loaded with favours, would naturally have prepared the mind for giving more eaſy credit to his treachery to William; though the evidence of it had not been ſo accumulated and powerful as to overcome the moſt inveterate ſcepticiſm. Admitting that Marlborough renewed his correſpondence with James, with the ſincere purpoſe of ſerving him, we ſhall not either be ſurpriſed or incredulous, when we read, in the Collection of State Papers ſo often referred to, a letter, from the princeſs Anne to her father, expreſſing the deepeſt concern for having deſerted him; and, with the moſt anxious ſolicitude, imploring forgiveneſs and reconciliation [7]. The aſcendency of Marlborough over the mind of

[7] Life of James, 1692.

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that princeſs, the rupture which happened about that time between the royal ſiſters, and the indecent animoſities which attended it, are ſtrong corroborative evidences of the truth of the fact, though the authority, upon which it is delivered to us, had not been ſufficient to exclude every poſſibility of doubt.

There are alſo many circumſtances, which, if fairly and minutely attended to, render it extremely doubtful, whether other perſons, who are named in the liſt of correſpondents of James and who converſed with his agents in England, were ſincerely and ſteadily attached to his intereſt. James himſelf, after receiving the moſt flattering accounts concerning the affection and power of his friends, expreſſes diſtruſtful apprehenſions, leſt their profeſſions of friendſhip ſhould be employed for the inſidious purpoſe of detecting and fruſtrating his deſigns. He appears to have been ſuſpicious of the ſincerity of Ruſſel, notwithſtanding the repeated and warm declarations of attachment, which that commander made to his agents [8]. Colonel Sackville, the moſt faithful and aſſiduous of them, in a letter to the earl of Melfort, expreſſes himſelf in the following words: "I am not deceived in the judgment "I formed of Ruſſel; for that man has not "acted ſincerely, and I fear he will never act "otherwiſe [9]." Lord Marlborough complains to James, that Ruſſel had concealed from him the moſt important intelligence; namely, the deſtination of the Engliſh fleet to burn Breſt, and the time of its ſailing [10].

Doubts of the ſincerity of his correſpondents expreſſed by James and his agents.

[8] Life of James, 1692.

[9] Letter to Melfort, 3d May 1694. Macpherſon's State Papers.

[10] Churchill's Letter to King James, May 1694; ibid.

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Strong reaſons for ſuſpecting that ſome of them were not ſincere.

It may be farther obſerved, that there are very ſpecious reaſons for ſuſpecting, that ſome of thoſe perſons, who embraced the opportunity of correſponding with James and aſſiſting his counſels, might continue that correſpondence, after their intentions were changed, perhaps, for the very purpoſe of being uſeful to William [11]. The earl of Shrewſbury and lord Godolphin were both detected in their correſpondence with James; and, if William had been of a diſpoſition reſentful or ſanguinary, might have been conſigned to the laſt diſgrace and puniſhment human laws can inflict. With unparalleled generoſity, he not only pardoned, but employed them: he not only employed, but truſted them [12]. Suppoſe that theſe perſons, monuments of his mercy, had been dead to every feeling of gratitude and generoſity, was it poſſible, if they had been endowed with the ſmalleſt portion of prudence, that they could ever have ventured to tread again in the dark path of treachery? The eyes of William, they muſt have been aware, would ever after be fixed upon them with ſuſpicious circumſpection. He was vigilant, inquiſitive, penetrating. At no period was the reſtoration of James an event ſo probable and near, as to induce them to incur any eminent hazard from the expectation of its taking place. Nay, ſo entirely was Shrewſbury reſtored to the confidence of William, that he was always conſulted by him in the ſeaſon of perplexity and diſtreſs, when affection principally directs the choice of counſellors. If Shrewſbury and Godolphin are recorded among the friends of

[11] Floyd's Accounts carried to Verſailles, 1ſt May, paragraph 7th; compared with Churchill's Letters, 6th May 1694.

[12] Dalrymple's Memoirs, vol. i. p. 499.

James

James after the event mentioned, it is natural to conclude, that James and his court were deceived by their profeſſions made to him at an early period; or, if they again entered into correſpondence with him, the ſame reaſons will incline us to believe, that they muſt have done ſo, with the connivance of William, and with the purpoſe of rendering it ſubſervient to his intentions and deſigns.

The name of Sunderland, recorded in the liſt of the correſpondents of James, raiſes the authority of theſe conjectures; and can hardly indeed be accounted for, otherwiſe, than upon the ſuppoſition, that ſuch a correſpondence was known to William and encouraged by him. From the paſt conduct of Sunderland, familiar to the reader, it will not be ſuſpected, that any ingredient of honour or generoſity could enter into his character. From no motive of intereſt could he poſſibly be induced to renew his correſpondence with James. Though the door of the court had been ſhut againſt him in London, yet there remained to him no ground for hope, of profiting by another revolution, and of recovering the confidence and favour of James if ever reſtored to the throne. But when it is obſerved, that, at the very period in which Sunderland was engaged in correſpondence with James, and rendering his ſervices to that prince, he was aſcending in influence with William, and that he already enjoyed the opportunity of gratifying every wiſh of ambition and intereſt, there ſcarcely can remain a doubt, with reſpect to Sunderland's having renewed his correſpondence with the permiſſion and authority of William [13]. No motive, but the

[13] Burnet, 1693.

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ſingular uſefulneſs of Sunderland, could have induced a perſon, of William's ſagacity and caution, to give any ſhare of his confidence to a man ſo deeply criminal, and ſo odious to all parties in the nation. It is no objection to the ſuppoſition now made, that we find the earl of Arran, the unſuſpected friend of James, atteſting the ſincerity of Sunderland, who was his relation; or that Sunderland adviſes James to make a deſcent upon the coaſt of England, as the moſt ſpeedy and effectual meaſure to reſtore his fortune [14]. Arran, nowiſe diſtinguiſhed by acuteneſs of diſcernment, might himſelf be the dupe of Sunderland's intrigues; and, with reſpect to Sunderland's preſſing an invaſion of England, it was the common advice of all the agents of James at that time, and the moſt acceptable ſubject that could be introduced in a correſpondence with him. Notwithſtanding the repeated profeſſions of repentance by Sunderland, and the atteſtations of his ſincerity, Middleton, one of James's ſecretaries, warns his friends in England to be upon their guard againſt the treachery of ſome, who had deceived them under the profeſſions of friendſhip; and, in an allegorical letter to an Engliſh peer, hints his ſuſpicions of the treachery of Sunderland [15].

Concluſions from the whole.

But, after all the reſearches that have been made, and the various conjectures that may be formed, it muſt be acknowledged, that great darkneſs and myſtery ſtill reſt upon the period and

[14] Macpherſon's State Papers, January 1664-5. Letter to James, 1695.

[15] Letter from Middleton to Monſieur Ponchartrain, 27th June 1694, paragraph 5th, in the note. Letter of Middleton, 2d Auguſt. Macpherſon's State Papers, 1695.

tranſactions,

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tranſactions, of which I have been giving an account. Enough, however, appears to ſuſtain the following concluſions; namely, that, during the whole reign of William, his perſon and government were expoſed to extreme danger; that, from his coronation till his title was acknowledged by the French king at the peace of Ryſwick, a correſpondence was conſtantly carried on between James and many perſons of the firſt rank and influence in England; that individuals of every party, and even ſome of thoſe, who had been the moſt zealous agents in the revolution, were acceſſary to that correſpondence; that many conſpiracies were formed, and very conſiderable preparations made for reſtoring the authority of James; and that, even the moſt baſe and atrocious deſigns were ſet on foot, to put an end to the power and life of William. While we trace the diſappointment of theſe to the ſuperintendency of Providence, it will be both inſtructive and entertaining, to attend tothe external means, by which the deſigns of Providence were effected; or to inquire into the cauſes, which, from time to time, counteracted, and at laſt ſurmounted, the moſt complicated and enormous dangers impending over the new government, and rendered its preſervation no leſs extraordinary, than the fruits of it have been precious.

Cauſes of preventing the extreme dangers impending over the government of England.

1ſt. The expectations of the friends of James, and the execution of all their plans and conſpiracies to recall him to the throne, depended, in a great meaſure, upon the aid of Lewis, whoſe attachment, they found, after various trials, to be neither ſo diſintereſted nor ſo active, as they fondly believed. The liberal grants of money to William; an army numerous, well diſciplined,

Backwardneſs of Lewis in aſſiſting James.

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and conſiſting, in a great proportion, of foreigners; diſcouraged any attempt of the adherents of James, to erect his ſtandard in England, without a conſiderable reinforcement of French troops. To the French king, therefore, they turned their eyes, with confident expectation; becauſe he ſeemed to be ſtimulated, by every motive of affection and intereſt, to eſpouſe the cauſe and wiſh for the proſperity of James. If Lewis was perhaps the only ſovereign in Europe, who lamented the degradation of James, ſo the latter was the only prince, led by inclination, to preſer the alliance of the former to that of the confederate ſtates. The one was almoſt aſſured, that, by reſtoring the power of the other, he would detach England from that alliance, which was formed to obſtruct and defeat his ambition. Notwithſtanding the importance of the object, and the reciprocal profeſſions of attachment between theſe princes, Lewis ſeems to have liſtened with coldneſs and diſreliſh to any propoſal made to him, for co-operating with the friends of the dethroned monarch [16]. He was dilatory and reluctant in the execution of any enterpriſe, which had for its immediate object the reſtoration of James. After the defeat of the French fleet at La Hogue, no ſerious plan, for effecting that end, ſeems to have been projected by the court of France, till the beginning of the year 1696, when a large body of troops was drawn together on the oppoſite coaſt, in order to embark for England. The abrupt deſertion of this expedition, under pretence that the friends of James in England had not performed the condi-

[16] Letter of Middleton to l'abbé Renaudot, 2d October 1694. Macpherſon's State Papers.

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tion, upon which the embarkation of the French army was promiſed, awakened in their breaſts diſtreſsful ſuſpicions of the French king, and almoſt extinguiſhed their hopes of deriving any future aid from his interpoſition.

The preſence, and behaviour of James, were ill calculated to acquire the eſteem or affection of thoſe among whom he lived. While an abject ſuperſtition, and an aſcetic devotion, procured him the unprofitable adulation of ſequeſtered monks and bigotted prieſts, they expoſed him to the contempt of the warrior, and the ridicule of the courtier, who alone, by their exertions and intereſt, could effectually contribute toward the reſtitution of his depreſſed affairs. A certain malignant deſtiny ſeemed to blaſt all his projects, and baniſhed the hope of ſucceſs from every enterpriſe, in which he was perſonally engaged [17]. The

[17] The accounts tranſmitted to us, concerning the behaviour of James after he left England, by thoſe who meant to praiſe him, exhibit the moſt deſpicable and ludicrous picture of enthuſiaſm and ſuperſtition. He uſed to thank God, for having taken from him three kingdoms, and awakened him from the lethargy of ſin; and that, if it had not been for that event, he would have been loſt for ever. He ſubmitted to the moſt ſevere faſtings and mortifications: he carried certain days a chain of iron, with very ſharp points, faſtened about his body; he performed this ſevere diſcipline with ſuch humility, that he was put into the greateſt confuſion, when he happened one day to be diſcovered by the queen: he uſed to expreſs a ſtrong deſire of death, and held it to be the duty of every Chriſtian to do ſo. Abregé de la Vie de Jaque II. par le Pere Francois Bretonneau, Paris 1743, pages 62. 70. & paſſim.

A French author, Le Compte Buſſy Rabutin, ſpeaking of the miſcarriage of La Hogue, uſes theſe expreſſions: "La mal-"heureuſe etoile du roy d'Angleterre fit échouer ce projet. Si "le roy (viz. Louis) l'euſt conduit tout ſeul, la fortune, a ſon "ordinaire, auroit vraiſemblablement favoriſe ſa bonne con-"duite, p. 326."

James himſelf ſeems to have entertained a mortifying ſenſe of his own bad fortune. In his letter to Lewis, after the defeat of

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The advantages, which France might expect from placing James on the throne of England, were neither ſo eminent, nor ſo certain, as to juſtify the attempt, where the expence was ſo great. and ſucceſs in the iſſue ſo precarious. Lewis might have every reaſon to be aſſured of the attachment and gratitude of James, if ever he reſumed his authority: but the independent ſpirit of the Engliſh, illuſtriouſly diſplayed by the late revolution, and their inveterate averſion to France, might be expected to thwart the inclinations, and bridle the exertions, of their ſovereign.

The ambition of Lewis was ſo entirely directed to the extenſion of his dominions upon the continent, that, without looking forward to remote conſequences, he was averſe to every plan, which required a temporary diverſion of his forces, or tended to give any interruption to the fondeſt object of his deſire. Hence, though memorials of

of La Hogue, he ſays; "I know too well, that my unlucky "ſtar has drawn down this misfortune upon your forces, "always victorious." In this James participated of the evil deſtiny of his family, which appeared ſo uncommon as to attract the notice of hiſtorians at an early period. Jurieu giving an account of James IV. having been ſlain in the battle of Flouden, uſes the following expreſſions: "Cadaver regis, poſtremo die "a Dacree repertum, et Bervicum delatum, ubi diu ſepultura "caruit; ab Anglis, quod Gallis et ſchiſmaticis faviſſet ſancto "funeris, ſepulchrique honore, et Chriſtianis ceremoniis indig- "nus putabatur. Adnotabant plerique, repetita ſuperiorum "regum memoria, Jacobum infelici potius Stuardæ familiæ "fato, quam ſuo cecidiſſe: quod pater, avus et proavus, "eodem potiti regno, atque idem ſortiti nomen, ante diem "ferro perempti mortem oppetiiſſent"

The malignant deſtiny of the houſe of Stuart was no leſs ſtrikingly illuſtrated by the fate of its latter repreſentatives; namely James V. Mary, Charles I. and James VII. with whom the royal power terminated.

James

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James to the court of France were ſtill received with external approbation, and the hopes of his party kept alive by ſplendid promiſes, yet various pretexts were contrived to poſtpone or elude the performance of them. And, when the friends of James began to be weary of the evaſions, and to complain of the delay, of France, the latter alſo retorted, in the ſtrain of complaint, and transferred the blame of all their misfortunes to their own negligence and miſconduct. They were indelicately reproached, for want of activity; for having failed to produce evidence to ſatisfy the court of France of their ſtrength and numbers; and for not having uſed that influence, which they might openly and ſucceſsfully have done, to ſtop the liberal ſupplies of parliament for ſupporting the authority and enterpriſes of William [18]. James, in the meanwhile, had a difficult part to act, in order to preſerve any meaſure of good underſtanding with Lewis, and to cheriſh the hopes of his Engliſh friends. He was not in a ſituation to upbraid, or to complain of ill uſage. Both his pride and intereſt debarred him from the conſolation of opening, to his friends, the mortifications and treachery which wounded his ſpirit. He was conſtrained, on the one hand, to do violence to truth and to his own feelings, while he vainly boaſted of the attachment and kindneſs of the French court, in order to animate the exertions of his friends, fretted with diſappointment, and ready to ſink into a ſlothful deſpondency. On the other hand, that he might avoid the humiliating diſcovery of his entire dependence on the arms of France, he was

[18] Letter of Middleton to Caryl, 19th March 1696. Extracts, January, February, March, 1696. Macpherſon's State Papers.

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at pains to conceal, from that court, his ſuſpicions of the coldneſs and defection of his partiſans in England, and to make ſpecious apologies for their going into the ſervice of William.

Diviſion of ſentiment among his friends.

2. The friends of James in England were divided in political ſentiments, and the different conditions, upon which they propoſed to reſtore him to the throne, greatly embarraſſed and obſtructed the plans laid down for accompliſhing that event.

Some, who were warm in their attachment to James, were, at the ſame time, ſteady friends to the conſtitution; and therefore wiſhed to reſtore him upon terms, which he held to be encroachments upon the unalienable prerogatives of the crown. Theſe were called Compounders, and comprehended the moſt reſpectable, and the moſt numerous claſs of his adherents [19]. There were a few of this number, who thought that a new revolution might contribute to the farther improvement of the conſtitution, by procuring regulations with reſpect to the monarchical branch, more reſtrictive than thoſe which had been ſpecified by the bill of rights. But there was alſo a great proportion of zealous adherents to James, who had embraced the moſt ſervile notions of prerogative, and who thought it no leſs prophane than diſloyal, to narrow its limits or lop off any of its branches [20]. Such therefore conſidered themſelves as bound, by equal obligations, to reſtore the king to his throne, and to the undiminiſhed amplitude of prerogative. The leaders

[19] Memorial to Lewis, Nov. 1692. Macpherſon's State Papers, 1694.

[20] Memorials ſent to James. Ibid.

of

of theſe parties diſtracted him with the oppoſition of their ſchemes and their counſels, and contended with emulation for the empty honours of an exiled court. The partiality of James to the counſels of the non-compounders; his addreſs, in contriving the moſt plauſible pretexts for delaying or eluding to publiſh a declaration in moderate terms, accommodated to the inclinations of the greateſt number of his friends; evince, more than all the abuſes of actual authority, his unabating paſſion for arbitrary power [21]. Many of his friends, however, ſtill continued, with inflexible ſolicitude, to urge conceſſions adapted to the temper of the people and the conſtitution of England, as indiſpenſably neceſſary for recovering his throne. Lord Marlborough, well acquainted with the predominant paſſion of his maſter, and, at the ſame time, of the neceſſity of his making conceſſions, was at pains to allure his conſent, by repreſenting that he might eaſily break them, when he came to the throne, as being extorted by the neceſſity of his affairs [22]. James at laſt began to yield to the importunity of his friends; and publiſhed a declaration, promiſing to call a free parliament, to remove all grievances, to conſent to whatever bills were neceſſary to ſecure the frequent meetings of parliament, and to maintain the church

[21] Extracts from Nairn's Papers, 1692. James alleges, that his promiſing conceſſions, if he returned to the throne, would alarm William, and render him more anxious to maintain an armed force in England; that it would afford his enemies a handle for reply; and, by ſevere criticiſms upon his paſt errors, and miſrepreſentations of his future intentions, counteract the effect of every thing he could propoſe for conciliating the affections of his people. Macpherſon's State Papers, 1692.

[22] Life of James, by himſelf, 1693, Extract 2d. Memorial concerning Scotland, par. 16. Macpherſon's State Papers, 1690.

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of England [23]. He diſmiſſed Melfort, who was at the head of the non-compounders, from the office of ſecretary of ſtate, and appointed, in his room, Caryle, who was known to maintain principles more moderate, and conſonant to the ſpirit of the Engliſh conſtitution. It is acknowledged, however, by one of the agents of James, that the diſtruſt of his veracity and honour were now ſo deeply rooted, and had ſpread ſo far, that theſe conceſſions had but little influence in ſatisfying his friends, or gaining any new converts to his intereſt [24]. Under the ſame impreſſion, many, who ſtill maintained their attachment to the principles of hereditary right, and who were claſſed with the friends of James, became cold and liſtleſs about his perſonal intereſt. They were divided, in their affections, between loyalty to their lawful ſovereign and zeal for the church of England. Theſe intereſts, apparently at variance, ſeemed at laſt to be in ſome meaſure reconciled, by their conſidering the abſence and depoſition of James as an interruption, rather than an extinction, of the hereditary line of ſucceſſion. They entertained little doubt, that the ſon would be recalled to the throne of England after the death of William; and they ſuſpended, for a

[23] Life of James, London, 1703.

[24] Anonymous Letter, 17th Auguſt, 1694. Macpherſon's State Papers. Attend particularly to the following words: "The common people own their preſent burdens are very heavy, "yet profeſs openly, that they would rather carry it on and on, "than let popery, by reſtoring the king, ſteal in upon them. "And when aſked, how they can read the king's laſt declara- "tion, and obſerve the promiſes therein made, and yet doubt, "either of the eſtabliſhment, or tranquillity, of their own "church? They anſwer, that being certain ſome of the pro- "miſes will be broken, they find reaſon to doubt, whether any "of them will be kept, &c. &c." Macpherſon's State Papers, 1694.

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ſeaſon, the duties of loyalty and allegiance, from a reſpect to the ſubſtantial intereſts of their country and religion.

Increaſing reputation of William;

3. The government of William in England grew more firm, the hopes of the friends of James more languid, and their efforts to reſtore him more remiſs, while the former every day gained, and the latter loſt reputation among foreign princes. Though the arms of the confederates were not attended with expected ſucceſs, yet ſuch was the addreſs of William, in maintaining their union, and invigorating their reſolutions, in contriving expedients to repair their misfortunes, and, above all, ſuch was the indefatigable perſeverance of his ſpirit, that he ſtill roſe in their eſteem and confidence. Not only the confederate princes, united to him by intereſt, but his enemies themſelves, gave various and ſtriking teſtimonies of their being aſtoniſhed and overawed, by the greatneſs of his deſigns, and the pre-eminence of his abilities. Upon a falſe report of his death, the moſt indecent expreſſions of joy and exultation were publicly exhibited in France, as if, by that event alone, the whole power of the confederacy had been annihilated, and the only obſtacle to the ambition of Lewis removed [25]. The ambaſſadors of James

[25] "Returning from Seaux, with the marquis of Seignalai, "in the evening after the news of the prince of Orange being "killed, we were ſurpriſed to find the ſtreets filled with bon-"fires and images of the prince of Orange in ſtraw, which they "threw into the fire, while they drank to the health of the "king, and compelled all that paſſed to do the ſame. This "general rejoicing was not diſcountenanced by the court, "where the principal miniſters were under the ſame miſtake. "Nothing could more emphatically expreſs the terror of the name

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James could not reſtrain themſelves from the moſt peeviſh complaints, when they beheld the veneration and awe, with which the character of William had impreſſed the court of France. Such ſingular evidences of reſpect could not fail to raiſe the dignity of his character at home, and to give energy to his government, both in Holland and in England. On the other hand, nothing can convey a more lively picture of the humiliating ſituation and debaſed credit of James, than the coldneſs and contempt, with which his name and his buſineſs were treated at the court of Rome. No ſubject was more irkſome to ſucceſſive popes, than any application in his behalf. They waved any converſation that tended to introduce it. They excuſed themſelves from giving him any pecuniary aſſiſtance; and ill concealed the contempt of their hearts, while they ſubſtituted prayers and expreſſions of pity, inſtead of ſolemn execrations of his enemies and more ſubſtantial reſentment, expected in return

and contempt for the character of his rival.

" name of the prince of Orange, than the extravagance of " joy with which his enemies received the news of his death." Memoirs et Reflections ſur la Regne de Louis XIV. p. 236.

" The confederates confeſs, that had the prince of Orange " been driven from Namur, they would have abandoned him; " but now he is their ſaviour, protector, and idol. All the " heroes of antiquity were but his precurſors, and to triumph " over the king of France's foreſight, and Villeroy and Bouf- " flers, is ſo great a ſupport to his reputation, that all here con- " clude, that he will unite the league, and get from England " to their bodkins and thimbles. All our converſations are " bringing the king to Rome, which God forbid, and eſtabliſh- " ing the prince of Orange in England for all his life. Some, " who appeared very fixed, begin to ſay, that he muſt be a " great man, who never gives over, but puſhes on, though re- " pelled again and again; and that, at laſt, ſuch a one muſt " accompliſh his deſigns, which is to humble the king of " France, and to transfer all the glory of that king's fortunate " reign to himſelf." Perth's letter, 27th September, 1695.

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for a zeal, which had ſacrificed all to the intereſt of popery. The earl of Perth, the ambaſſador of James, expreſſes ſorrow and indignation, upon finding that the character and exploits of William were mentioned with admiration by the miniſters of the pontifical court; and, that ſome of them were ſo indelicate, and even ſo prophane, as to inſinuate their good wiſhes for his ſucceſs, and for their expectation of deriving more benefit to the papal dominion from the continuance of his authority, though he was an heretic, than from the reſtoration of James, who had been a martyr to their faith. He deſires to be furniſhed with accounts and proofs of the ſeverities exerciſed againſt the Roman catholics in Ireland, in order to open their eyes, and to rouſe the court of Rome from that criminal ſtupidity, which rendered her at once ſo unconcerned about the fate of James and her own deareſt intereſts [26].

Such

[26] "The declaration here was juſt fitted for the preſs, but Mr. "Caprara, after the advances he himſelf made to get it finiſhed, "alleged unexpected difficulties, ſo that it is now laid aſide. "Many here pretend great inward zeal in their prayers for "the king; but, if they do pray, they do it ſo as not to be "ſeen of men, either in their cloſets, or, perhaps, the primi-"tive grottoes and catacombs." Litcott's Letter to Melfort, June 17th, 1692.

"I took occaſion to ſhow myſelf laſt week to the pope; who, "having been prepoſſeſſed by the houſe of Auſtria in ſome "points of news to James's diſadvantage, he aſked what my "letter ſaid, expreſſing at the ſame time ſome difference as to "the French. I anſwered the beſt I could, but all by conjec-"ture, having, my lord, not had the leaſt word of any thing "ſince I came thither." Id 2,th June, 1692.

"I can eaſily perceive, that all, who are well affected to the "Houſe of Auſtria, try, by all means, to perſuade the pope, "that the prince of Orange is no enemy to the catholics; but "only ſtrives to maintain his acquiſition of the government of "England." The Earl of Perth's Letter from Rome, 9th May, 1695. Macpherſon's State Papers.

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Such experience of deſertion and contempt, where James expected applauſe and cordial adherence, tended to ſubvert all reſpect for his character among his Engliſh ſubjects, and to check that boldneſs of enterpriſe, which alone could retrieve his intereſt from the low ebb into which it had ſunk.

Various events which contributed unexpectedly toſtrengthen the new government.

4. Some of thoſe events, which were deemed moſt propitious to the views of James, operated to a contrary effect; and, by diminiſhing the number and influence of his remaining friends, finally confirmed his degradation and exile. If the frequent abſence of William from the ſeat of government invited the diſaffected to conſpiracy and inſurrection, the prudence and moderation, with which Mary diſcharged the truſt of the regency, gained friends among every party in the nation. By devolving the reins of government into the hands of the queen, William not only enjoyed a reſpite from the turbulence of faction, but, upon his return, found the violence of parties abated, and the vigour of government renewed. The executive government, occaſionally delegated to the daughter and neareſt heir, more eaſily reconciled the friends of hereditary right to the new ſettlement, becauſe it required only a

Innocent XI received coldly an application made by James, to give father Petre a cardinal's hat. Innocent XI. and Alexander VI. abſolutely refuſed to contribute, by pecuniary aid, to the reſtoration of James; and Innocent XII, who was better affected to him, often waved his applications, and aſſiſted him in money, only, with a penurious hand. Monthly Mercury, December 1688, April 1689, and paſſim.

"Give me a ſure account of what is doing to hinder the "children of catholics from being bred up in the catholic religi- "on, and you would furniſh me with a new occaſion of ſtirring "up his holineſs to mind the conſervation of that little remnant "of truth that reſts among you." Perth's Letter, 1695.

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ſlight deviation from their principles. A zeal for the proteſtant religion, and a foſtering attention to the church of England, accompanied with exemplary piety, gained the political ſupport of the hierarchy, and the affections of the true friends of religion and virtue. In theſe views, the death of the queen was naturally conſidered as an event fatal to the new ſettlement, and ſeemed to open certain hopes of ſucceſs to thoſe, who were intereſted for the exiled king. So much did they calculate upon the augmentation of ſtrength, which was likely to redound from the death of the queen, that they began to lower their demands for foreign aid, and repreſented in their memorials to the French king, that the friends of James, reinforced only with ten thouſand men, would be ſufficiently powerful to reſtore their maſter to his rights and dignity [27]. But in this, as well as in other conjectures, the correſpondents of the court of Saint Germains were deceived;

[27] Middleton's Letter, 13th January 1695. "When James "heard of the death of his daughter, he had long conferences "with the king of France, and letters were immediately diſ-"patched, to try whether any tares might be ſown among the "Engliſh." Monthly Mercury, January 1695.

"The French believe that they ſhall gain more by the death "of the queen of England, than they have loſt by the death "of marſhal Luxembourg They look upon this accident not "only as an obſtacle to prevent the king of England's return "into the Low Countries; but as an opportunity to ſow new "ſeeds of diſcord, and to find the Engliſh work enough at "home among themſelves." Ibid. 1695.

So ſanguine were the expectations of the correſpondents of James, upon the death of the queen, that they wrote to him in the following words: "The great alterations, occaſioned by "the death of the princeſs of Orange, have ſo broken and "divided the ſtrength of the government, that ten thouſand "men are more now in proportion to its preſent ſtrength than "thirty thouſand were before, &c." Reaſons offered for making a Deſcent upon England. Macpherſon's State Papers, 1695.

and

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and from the death of the queen, the new ſettlement derived the acceſſion of a party, who were ſecretly hoſtile to the perſonal intereſt of the king, and who publicly oppoſed thoſe political meaſures to which he was partial. During the life of her ſiſter Mary, healthy and little ſuperior to herſelf in age, the princeſs Anne entertained a very diſtant and precarious proſpect of ever inheriting the crown of England. At an early period after the revolution, the relentings of affection began to work upon her mind, and at laſt ſeemed to have ſubdued the impulſe of ambition. She wrote to her father, earneſtly imploring forgiveneſs and reconciliation, and promiſed to confirm the ſincerity of her repentance, by a firm adherence to the duties of loyalty and natural affection. While ſhe remained under the impreſſion of theſe ſentiments, a numerous body of the tories, attached to her family and intereſts, oppoſed the inclinations of the court; and ſome of them conſulted with the friends of her father about meaſures for his reſtoration [28]. The death of her ſiſter, and the near proſpect of a crown, threw out new and powerful temptations to rouſe and actuate the ambition of the princeſs Anne. Reſolutions, which could only be fulfilled in the humble ſtation of a ſubject, were renounced, and all the ſcheme and addreſs of her friends were employed to remove every obſtruction to her approaching dignity. From that moment the political intereſts of William and the princeſs Anne were interwoven: both were to be promoted by the ſame plans, and by the ſame inſtruments. The recognition of the right of the princeſs Anne was the firſt link in that chain of ſucceſſion, which William deſired to eſtabliſh, not only for his own

[28] Life of James, paſſim.

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ſafety, but for the future ſecurity of that fabric of government which he had ſaved from ruin. It was only by adopting the ſame principles, by approving and extending the Act of Settlement, and by ſupporting the title of William, that the princeſs could hope to aſcend the throne, in excluſion of her father. Hence an external reconciliation, which anſwered all the purpoſes of cordial attachment, took place between her and William after the death of Mary; and their friends co-operated in the ſame political deſigns. This coalition not only fixed a great proportion of that intereſt, which, in the early part of his reign, had been vibrating between Anne and the baniſhed king; but became productive of meaſures, which effectually barred the return of the latter, and ſecured the eaſy deſcent of the crown to a line of proteſtant ſucceſſors.

The diſſolution of the ſecond parliament, or the triennial bill, which accelerated that meaſure, was coincident with the death of Mary, and productive of ſimilar effects; becauſe it operated, contrary to the expectation of the malecontents, to increaſe the friends and ſtrength of the new ſettlement. Though a powerful party in the commons oppoſed the inclinations of the court, yet, by a ſeries of reſolutions and meaſures, in the courſe of five ſucceſſive ſeſſions, the ſecond parliament became ſo far engaged upon the ſide of the preſent government, that it was not to be expected, upon the event of James's landing in England, they would be prevailed upon either to acknowledge him, or indirectly to promote his intereſt, by withholding from William the pecuniary aid which they had been accuſtomed to grant with a liberal hand. The war with France,

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in particular, a principal obſtruction to the hopes of James, a great majority of both houſes had approved of, and ſtill ſeemed inclined to ſupport. It was likewiſe reaſonable to ſuppoſe, that, as the favours of the court flow through the channels of parliamentary intereſt, ſo the diſpenſation of theſe favours, for the ſpace of five years, muſt neceſſarily have procured to the king a powerful influence over the preſent repreſentatives of the nation, which would be loſt and deſtroyed in a new parliament, unintereſted in the paſt meaſures, and unbiaſſed by the experienced bounty of the court. Attending to theſe circumſtances, we are not ſurpriſed to find, that James and his friends conſidered the continuance of the ſecond parliament as an unſurmountable barrier to their expectations; and that, in many of the memorials tranſmitted from Saint Germains, it is earneſtly inculcated upon the agents of that court, to cheriſh the diſcontents in England, and to exert their utmoſt endeavours to accompliſh a general election[29]. The complaints of the people did not, at that period, require the culture of foreign influence. The ſuſpicion, and at laſt the detection, of enormous corruption, rouſed the nation, almoſt with one voice, to call for the diſmiſſion of their repreſentatives. Both houſes were conſtrained, by the importunity of the people, and a reſpect to decency, to introduce, as we have ſeen, different meaſures, for the purpoſe of obtaining a diſſolution of the ſecond parliament. The death of the queen, and a demand of large ſupplies, obliged the king to conſent, with reluctance, to a bill, which he conſidered as equally fatal to

[29] Middleton's letter, 13th January, 1695.

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his preſent influence and future power. In this apprehenſion, both the king and his enemies were miſtaken, as ſoon appeared from the effect of the triennial act upon the temper of the nation. The near approach, and frequent return of elections, obviouſly advanced the political conſequence of all orders of men in the ſtate. While parliament ſubſiſted during the pleaſure of the ſovereign, its connection with the people was gradually leſſened, its obligations and attachment to the crown were daily ſtrengthened; and a qualification to vote for a repreſentative might remain dormant with the poſſeſſor, without his having once, in the courſe of his life, an opportunity of exerciſing it, either for the purpoſe of private advantage, or the control and chaſtiſement of abuſed power. The attention and diligence of the diſaffected, hitherto occupied in thwarting government, and contriving meaſures for the reſtoration of James, were now transferred to a nearer and leſs dangerous object, while many of them became candidates for a ſhare of political influence, from which they had been hitherto excluded. The greater number regarded the queſtion of a perſonal right to the crown, abſtracted from the intereſt of the nation, as a diſpute frivolous and unintereſting. They could not heſitate for a moment about preferring an imperfect and exceptionable title, fraught with laſting benefit to the conſtitution, to the claims of hereditary right, involving prerogatives undefined and deſtructive of freedom. Such a deep infringement upon the influence of the crown, as was obtained by the triennial bill, they were well aware, a monarch, of James's arbitrary principles and temper, would never endure. If he regained the throne, he would reclaim, under a ſpecious reſpect to juſtice, ſuch prerogatives as

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had been torn from it, without the consent, and during the expulsion, of its lawful possessor. A new pillar of liberty was erected, which, connected with the occupancy of the present king, fortified his throne, both with the affections and interest of his people. After this period the friends of James declined in influence and zeal; correspondence with him was interrupted; the peace of Ryswick was the decisive crisis, which ratified the authority of William, and ensured the benefits of the Revolution to posterity.

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Diſſolution of the ſecond Parliament.—Summary Views of its Proceedings and Character.—The third Parliament meets.—Bill for regulating Trials in Caſes of Treaſon paſſes.—The Commons addreſs the King to withdraw a Grant in Favour of the Earl of Portland—he complies.—Proceedings of both Houſes with reſpect to an Act of the Scotch Parliament for extending the Trade of that Kingdom.—Bill for a Council of Trade to be nominated by Parliament—the King offended at it.—An Invaſion of England and an Inſurrection of the Malecontents projected—prove abortive—in conſequence of Lewis and the Malecontents having been deceived with reſpect to each other's Intentions.—A Conſpiracy to aſſaſſinate King William.—Addreſſes, Aſſociations, and other Meaſures for ſecuring the Government.—Trial of the Conſpirators.—Bill for attainting Sir John Fenwick—Debates on it—it paſſes.—Campaign 1696.—Meaſures to relieve the Embarraſſments of the Revenue.—Inquiry concerning Miſcarriages at Sea.

IN the campaign of one thouſand ſix hundred and ninety-five, the army of the confederates was ſuperior to that of the French. The retaking of Namur turned the balance of ſucceſs in favour of the former, and greatly advanced the military reputation of William. In Italy, Caſal ſurrendered to the duke of Savoy; in Spain, the decline of the French power was manifeſted by their deſerting Palamos, and contracting their frontier to the town of Gironne. The Engliſh and Dutch fleets were

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were every where an over-match for the French, though many merchant ſhips of great value fell into the hands of the enemy, and marred that general ſatisfaction, which, otherwiſe, muſt have ariſen from the proſperous turn of affairs[1].

Diſſolution of the ſecond parliament.

The king returned to Kenſington on the tenth of October, and the next day iſſued a proclamation for diſſolving the preſent parliament, and ſummoning another to meet on the twenty-ſecond of November. He had obſtinately ſtruggled againſt the triennial bill, not only to avert an encroachment, as he believed, upon his prerogative, but from the apprehenſion of not finding a new parliament obſequious to his will, particularly in adopting his ſyſtem of foreign politics, and approving of the continuance of the war. But, as there was no proſpect of bringing it to a concluſion before the definitive expiration of the preſent parliament, there occurred obvious and ſtrong reaſons for anticipating that event. However great the influence of the court in the preſent parliament had been, yet it was naturally to be expected, that the immediate proſpect of dependance upon their conſtituents would operate upon the members, to the diminiſhing of that influence, and induce thoſe, who wiſhed to maintain their political diſtinction, to humour the prejudices of the people, rather than to ſtudy the inclinations of the ſovereign, or to purſue more liberal views of public good. The diſſolution of parliament, impatiently deſired by the people, would be reckoned a gracious exertion of the prerogative, and ſtrengthen the intereſt of the crown at the approaching general election. But what, perhaps, as much as any of theſe conſiderations, determined the king to diſmiſs his ſecond

[1] Life of William, &c.

parliament,

parliament, was the perplexity and interruption to public buſineſs, which he foreſaw would ariſe, at a ſeaſon eminently critical, from thoſe diſagreeable inquiries into which the commons had entered, with reſpect to the corruption of ſome of their members, and from which they could not recede, without forfeiting all claim to honour and conſiſtency [2].

Summary view of its proceedings and character.

The buſineſs and proceedings of the ſecond parliament of William furniſh the hiſtorian with events and materials, diſtinguiſhed not only by their importance, but by their novelty, from what had occurred in any former period. Though foreign war, and the extenſion or defence of their dominions upon the continent, form intereſting ſcenes of the Engliſh hiſtory, yet the meaſures, relating to them, proceeded from the ambition of the prince, rather than from any concerted plan of national advantage, and were directed by the inclinations of the court, independently of the advice of parliament, which had not then attained to any regular influence. By this parliament, foreign war, and continental connexions, were firſt adopted as a capital branch of the political ſyſtem of England. A ſyſtem, ſo complicated in its nature and ſo comprehenſive with reſpect to its object, involved increaſe of expence, and required expedients and reſources, which, before that time, never had been deviſed or exemplified. Hence the plan of borrowing and funding was introduced; and, inſtead of raiſing the ſupplies neceſſary for carrying on the war within the year, funds were eſtabliſhed for paying the intereſt of them annually, and for diſcharging the capital at a remote period. The

[2] Burnet, 1695.

ſupplies,

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ſupplies, raiſed upon this plan, in the courſe of the ſecond parliament alone, amounted to more than the double of what had been granted in any preceding reign.

As it is not to be expected, that either individuals or ſocieties ſhould acquire great expertneſs in a buſineſs, with reſpect to which they have derived no inſtruction, either from their own experience, or that of their anceſtors, ſo the ſupplies were conducted with great error and extravagance by this and ſucceeding parliaments. The ways and means propoſed were ſeldom adequate to the ſums to be raiſed upon them; and, as neceſſary conſequences of this error, the operations of government were crippled, its credit depreſſed, and the article of future ſupplies ſwelled to an enormous pitch, from the neceſſity of making good the deficiency of the former. Poſterity muſt lament, that many millions of the national debt, with which we are loaded, might have been ſpared, while the patrimonial intereſt of our anceſtors, who were then upon the ſtage, would have been promoted, if calculations had been made with exactneſs, ſupplies obtained at a reaſonable premium, and the taxes levied with ſtrictneſs and juſtice [3]. The diſpoſal of an immenſe revenue, and the numerous offices to which it gave birth, brought a great acceſſion of influence into the hands of the crown; but which perhaps was no more than ſufficient to ſupport the new government under the hard ſtruggles to which it was neceſſarily expoſed. Unfair advantages were taken of the ſtraitened circumſtances of the nation, which ſtill augmented the burden of the taxes. The amplitude of the revenue excited

[3] Sinclair.

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the murmur of thoſe, from whom it was exacted, and the avarice of thoſe, who were employed in levying or diſburſing it. The ſhare, which the rapacious politician deſtined for his private emolument, appeared only a mite, taken from the prodigious maſs of the public treaſure; and no more than a juſt compenſation for that liberality, which he exerciſed at the expence of his conſtituents. As parliament acquired more regular and extenſive power by being convened annually, and by not only granting, but by appropriating and reviewing, large ſupplies, ſo the ſeat of a member became, more than ever it had been, a lucrative object. Hence the number of candidates, and the ardour of their competition, were increaſed, when any vacancy in the repreſentation happened. The electors ſoon perceived their own conſequence, raiſed the price of the favours for which they were ſolicited, and thus the chain of corruption was completed. From the diſcoveries made by the committee and commiſſioners appointed to inquire into the public accounts, it was too evident, that corruption had entered into every department, and that individuals of every party were ſtained with peculation, which threw a blemiſh upon the body to which they belonged. There can be no doubt, that mercenary conſiderations contributed, with their avowed principles, to render this parliament favourable to the continuance of the war. That war, as neceſſary to ſupport the revolution, brings no diſcredit upon thoſe who approved of it; but, at the ſame time, it is probable, that it might have been carried on at leſs expence, and terminated at an earlier period, with equal advantage to the nation, if powerful individuals had not been intereſted in its prolongation.

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The

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The public acts, paſſed by this parliament, related more to the redreſs of grievances, than to the encouragement of trade and manufactures. The buſineſs of the war, and of the ſupplies, occupied ſo much of their attention, that it may be conſidered as an apology for their not having directed their thoughts to objects of internal improvement.

Though they did not gratify the king, by granting that extent of toleration which he wiſhed to eſtabliſh, yet they diſcovered leſs ſeverity againſt the Roman catholics, than what prevailed in the former and ſucceeding parliaments.

The ſecond parliament of William is entitled to the grateful acknowledgments of poſterity, for their repeated efforts to ſecure the purity and independence of their ſucceſſors: and the triennial bill will remain an everlaſting trophy of their patriotic ſucceſs. At the ſame time, it cannot be denied, that inquiries into corruptions and public miſcarriages were not only inſtituted, but conducted, ſo much in the temper of party, and from the influence of factious motives, that they were as little productive of honour to thoſe, who proſecuted them, as of advantage to the nation.

In the interval between the diſſolution and the meeting of parliament, the king made an effort to extend his perſonal influence, by mixing, more than he had hitherto done, in public companies and amuſements, and by viſiting ſome of the nobility and gentry at their country ſeats. Such, however, was the incorrigible dryneſs and reſerve of his demeanour, that his perſonal converſation and addreſs added little to his popularity [4].

[4] Burnet, 1695.

Few

Few perſons, ſuſpected of attachment to James, were returned in the third parliament of William; but in the liſt of the new members were many diſguſted whigs, who, though ſufficiently inclined to thwart the meaſures of the court, did not mean to carry their oppoſition ſo far as to injure the ſafety of the government [5].

No material change in adminiſtration had taken place during the receſs of parliament. The principal offices remained in the hands of the whigs, who poſſeſſed the greateſt ſhare of the confidence and private favour of the king.

The third parliament meets.

The third parliament of William met on the twenty ſecond of November. M. Foley, who had been choſen ſpeaker of the houſe of commons upon the expulſion of ſir John Trevor, was again preferred to that honour. The king expreſſed confidence in the good diſpoſition of his new parliament, and of their unanimous zeal in the proſecution of the war. He praiſed the bravery of the Engliſh troops, which had ſo eſſentially contributed to the proſperous change of affairs. He regretted the neceſſity of demanding as large ſupplies as had been formerly granted. He complained of the deficiency of the funds, and of the debts upon the civil liſt. He recommended the French proteſtants to the generoſity of the nation. He repreſented the ill ſtate of the coin as an additional, but neceſſary expence, which demanded the attention of the commons.

As the former parliament had cloſed their ſervices with a popular act, ſo the preſent commenced their political career with a meaſure, no

[5] Burnet.

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leſs conſonant to juſtice, than to the general deſire of the nation. The arbitrary ſpirit of the court, during the two preceding reigns, had been moſt ſignally and fatally diſplayed, by the partial condemnation, and cruel puniſhment, of perſons accuſed of treaſon. Though popular indignation, in the firſt inſtance, turned againſt the court and thoſe judges, who infamouſly had ſubmitted to be the inſtruments of its corrupt meaſures, yet to the impartial inquirer it appeared, that the diſtemper had a deeper root; and that the ſtatutes, as they ſtood, afforded unfair advantages to the prince and his miniſters, againſt the unhappy ſubjects, who ſhould fall under their ſuſpicion, and become the deſtined victims of their reſentment. To remove or to mitigate theſe ſeverities, the commons, in every ſucceſſive ſeſſion of parliament ſince the revolution, had propoſed ſuch amendments and regulations reſpecting trials for treaſon, as were conformable to the practice and laws of England in the caſe of other crimes. The jealouſy of the court, kept alive by peculiar circumſtances of danger, and the oppoſition of the lords, covered under the pretext of amendments, had hitherto fruſtrated every bill framed with this view; and diſappointed the reaſonable expectations of many true friends to the conſtitution. The ſubject was now reſumed by the commons, with a ſpirit, which evinced their earneſtneſs and reſolution to purſue it; for they introduced it in preference to all other buſineſs, and while the grant of ſupply was yet depending. The lords debated on various clauſes in the bill, and propoſed, as an amendment, that all the peers ſhould be ſummoned to the trial of a peer

Bill for regulating trials in caſes of treaſon, 20th Nov.

peer [5]. The commons, anxious to obtain the object of the bill, agreed to the amendment. The king, unwilling to enter into hoſtilities with a new parliament, aſſented, though he privately wiſhed to poſtpone the reformation of the treaſon laws, till government had attained to a more advanced ſtage of vigour and tranquillity. The important clauſes of the new act were, that perſons indicted for high treaſon ſhould be furniſhed with a copy of their indictment five days, and with a copy of the panel of the jurors two days, previous to their trial: that they ſhould be admitted to make their defence by counſel: that the oath of two witneſſes ſhould be neceſſary to found an indictment: that every indictment ſhould be reſtricted to crimes committed within the period of three years preceding the time of its being found, and the evidence confined ſtrictly to the charges expreſſed in the indictment: that the accuſed ſhould have like proceſs to compel their witneſſes to appear for them, as is uſually granted to witneſſes againſt them: and finally, that no evidence ſhall be admitted to any covert act that is not expreſsly laid in the indictment.

CHAP. XVI. 1695. 21ſt January, 1696, paſſes.

However much this bill may appear to be founded upon the eſſential principles of juſtice, yet the ſucceſs of it was conſidered as an evidence of the declining influence of the court.

The unfavourable temper of the commons towards the king was diſplayed by a meaſure, which at once controlled the gratification of his private affection, and limited the exerciſe of his prerogative. After the laſt prorogation of parliament, he had conferred, upon the earl of Portland and his heirs, a grant of the lordſhips of Denbigh,

The commons addreſs the king to withdraw a grant in favour of the earl of Portland.

[6] Journ. Lords, 23d December.

Bromfield,

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Bromfield, and Yale. The gentlemen, whoſe intereſts were immediately affected by this grant, petitioned the lords of the treaſury, during the king's abſence, repreſenting, that the property transferred was unalienable; that the grant beſtowed an extent of influence dangerous in the hands of a ſubject, and was already appropriated, in part, to the ſalaries of judges, and other eſſential offices of government. The commiſſioners of the treaſury were ſo much impreſſed with the arguments produced in ſupport of theſe allegations, that they engaged to recommend the ſubject to his majeſty's ſerious conſideration. As more than a month had now elapſed ſince his return, and the gentlemen concerned in this buſineſs had received no ſatisfaction with reſpect to his purpoſe of recalling the grant, they now applied by petition to the houſe of commons. After due conſideration, the commons unanimouſly agreed to addreſs the king to put a ſtop to this grant to the earl of Portland; and with their petition he complied, profeſſing not to have been aware of the objections to which the grant was liable [7]. If the exceſs and irregularity of his majeſty's bounty, in this inſtance, excited popular clamour, and expoſed him to the mortification of being diſappointed, the early and important ſervices of the earl of Portland juſtified a more than common attachment, leſſened the impropriety of the method by which it was expreſſed, and ought to have prevented that perſonal aſperity, with which the oppoſition to it was conducted [8].

He complies.

[7] Journ. Commons, 14th, 17th, 23d January.

[8] See Speech of Mr. Price; Ralph, vol. ii. p. 619.

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To appeaſe the diſcontents of the Scots, the king had been perſuaded to approve of an act of their parliament, erecting a company for trading to Africa and the Eaſt Indies. This indulgence to Scotland had immediately excited general alarm among his Engliſh ſubjects, and was grievouſly complained of by the Eaſt India company, as a violation of their charter, and ruinous to their intereſt; and it was expected, that parliament would embrace the firſt opportunity of repreſenting to the king the ſentiments of his people. The lords entered at an early period upon the conſideration of this buſineſs, and agreed upon an addreſs, in which the commons alſo concurred, ſetting forth the ſeveral clauſes of the act conſidered by them as prejudicial to the trade of England, in general, and to that of the Eaſt India company, in particular [9]. The king vindicated himſelf, by throwing the blame of this act upon his Scotch miniſters, whom he immediately diſmiſſed; and expreſſed his deſire, that remedies might be found out for preventing the inconveniences apprehended by his ſubjects. The commons, not thinking theſe conceſſions ſufficient, determined to exerciſe their reſentment againſt the directors of the Scotch trading Company; and reſolved that they ſhould be impeached of high crimes and miſdemeanours [10].

Proceedings of both houſes with reſpect to an act of the Scotch parliament, for extending the trade of that kingdom.

The ſevere loſs which the trade of England had ſuſtained in every preceding year, and particularly the laſt, had brought heavy reflections upon adminiſtration; and ſeemed to require an eſtabliſhed plan for calling to account thoſe perſons, who, by treachery or neglect of truſt, were acceſſory to

Bill for a council of trade to be nominated by parliament.

[9] Journ. Commons, 14th Dec. 1695.
[10] Journ. Commons, 21ſt January, 1695.

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the public misfortunes. The commons, after conſidering the ſtate of the nation with reſpect to trade, reſolved that a council ſhould be eſtabliſhed for ſuperintending it; and that this council ſhould be nominated by parliament [11]. This meaſure was conſidered by the king and his friends as a direct invaſion of the prerogative; which, if permitted in one inſtance, would open a door for future encroachments, highly pernicious to the influence of the crown. If parliament wreſted one branch of the executive government out of his hands, they might progreſſively extend their aſſaults to the utter ſubverſion of the prerogative, and effect a total change of the conſtitution [12]. In the courſe of the debates upon this bill the whigs generally oppoſed it, and the tories ſupported it: a ſtriking inſtance of the prevalence of perſonal attachment againſt the avowed principles of party. The ſupport which the bill met with, and the averſion which the king expreſſed againſt it, would probably have been productive of great internal diſcord, if events of a more ſerious nature had not engroſſed the vigorous application of both houſes of parliament [13].

The king offended at it.

Many circumſtances concurred, at the death of the queen, to inſpire the agents of James, in England, with more favourable hopes of the diſpoſition of parties towards the intereſt of their maſter, and to ſtimulate his friends to make ſome immediate attempt for accompliſhing his reſtoration. They were ſenſible, at the ſame time, that no ſucceſs could be expected without the aid of

[11] Journ. Com. 21ſt Jan. 12th and 18th Feb. 3d March.
[12] Burnet, 1696.
[13] Ralph, vol. ii. p. 624.

French

French troops; and, therefore, that it was in vain to lay down any plan for that purpoſe, without the approbation of Lewis. Great pains were taken, to convey to him the moſt favourable impreſſions of the number and ſtrength of the malecontents in England, and to repreſent to him the advantage that would accrue to himſelf by overturning the government of William [14]. Theſe repreſentations, however, did not obtain that attention, which was expected by the perſons who urged them. The ſucceſs of the French arms in Spain during the campaign of one thouſand ſix hundred and ninety-four, the inactivity of the troops of the empire, far ſuperior in numbers, and the proſpect of detaching the duke of Savoy from the grand alliance, flattered Lewis with the expectations of victories and acquiſitions upon the continent, which would more immediately redound to his own perſonal glory, and the extenſion of his dominions. The death of the duke of Luxembourg, the ableſt general in his ſervice, the adverſe events of the campaign of one thouſand ſix hundred and ninety-five, and particularly the loſs of Namur, diſappointed theſe hopes; and gave a turn to continental affairs highly favourable to the allies. In this ſituation the French king began to liſten to the ſuggeſtions of the agents of James, who aſſured him that the malecontents in England were ready to make an inſurrection, provided they could be aſſured of his reinforcing them by a deſcent upon their coaſt. Preparations were now made for that purpoſe: tranſports were provided: troops, to the amount of twenty thouſand, were drawn from the garriſons, and ordered to march to the

An invaſion of England and an inſurrection of the malecontents projected,

[14] Macpherſon's State Papers, 1695.

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1696 2d March.

vicinity of Dunkirk and Calais: the French fleet from Toulon was ordered round to Breſt. James repaired to Calais, to be in readineſs to embark for England as ſoon as his preſence ſhould be required there [15].

prove abortive,

This expedition, prepared with great induſtry and at great expence, and brought to the very eve of execution, proved abortive, from a miſtake on the part of Lewis, which James had neither the firmneſs nor the candour to correct. The more readily to allure the aſſiſtance of Lewis, James had rather exaggerated the deſcriptions of the ſtrength and proſperity of his friends; and had even gone ſo far as to aſſure him, that they were prepared to begin an inſurrection, as ſoon as they ſhould be encouraged to hope for any reinforcement from France. The commencement of an inſurrection in England was therefore underſtood by Lewis to be the condition and ſignal of his interference; and he never intended that his troops ſhould embark, till he had received information of that event having actually taken place. The malecontents, on the other hand, were led to believe, that they were only expected to take up arms when the French ſhould appear on the Engliſh coaſt. James was not ignorant of this miſtake; but he was afraid to undeceive Lewis, leſt it ſhould occaſion the interruption or diſcontinuance of thoſe preparations, which were eſſential to his own ſucceſs [16]. In the mean while, the duke of Berwick, the natural ſon of James, was ſent into England, to ſtimulate the reſolutions and activity of his father's friends, and to perſuade them to go beyond their firſt engage-

in conſequence of Lewis and the malecontents having been deceived with reſpect to each other's intentions.

[15] Hiſtoire de France. Oldmixon.

[16] Macpherſon's State Papers, 1696.

ments,

ments, by taking up arms, without waiting for the arrival of the French fleet, in assurance of support before they could be in any danger of being attacked by the army of William. The duke of Berwick, though neither deficient in the spirit of enterprise, nor in anxiety to extricate his father from the perplexity in which he was involved by his reserve with the court of France, was so much convinced, from near observation, of the weakness of his friends, and their incapacity to render him any effectual service, that no attempt was made by him to excite an insurrection [17]; and the preparations made with that view were unemployed and unavailing.

A conspiracy to assassinate king William.

Another interesting event occurred, with the circumstances already mentioned, to put an end to this and every future attempt for restoring James by foreign arms, or internal insurrections. A conspiracy to assassinate the king, probably suggested or hastened by the disappointment of the invasion, was now detected, and many of the principal conspirators were apprehended [18]. This

[17] Memoirs of the Duke of Berwick, 1696.

[18] The design of the conspirators was to assassinate king William, as he returned from hunting, in the lane between Turnham-green and Brentford. Two of them, captain Fisher and Mr. Pendergrass, discovered the conspiracy to the earl of Portland, by which means it was prevented.

It is asserted by Burnet, and his transcriber Tindal, that the assassination of William was concerted at the court of Saint Germains, and that sir George Barclay received a commission from James to carry it into execution. Burnet, 1695. Tindal, vol. iii. p. 201. In support of this assertion, these authors adduce the testimony of sir John Fenwick: who said, that he had heard some of the friends of James, lately arrived from France, affirm, that they had seen a commission signed by James, for warranting an attempt to the above effect. Tindal, vol. iii. p. 192.

A French

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1696. Addreſſes, aſſociations, and other meaſures for ſecuring the government.

alarming diſcovery not only turned the tide of oppoſition which was ſet in againſt the court, but became productive of events highly fortunate for William and the government. Affectionate addreſſes were preſented by both houſes of parliament; and the aſſurances which they contained were realiſed, by the immediate proſecution of vigorous meaſures for the enſuring of his ſafety and the ſtability of the conſtitution. His majeſty was empowered to ſeize all ſuſpected perſons,

A French hiſtorian alſo accuſes James of having given a ſecret commiſſion to attack the prince of Orange, after having been wearied with ſo many fruitleſs attempts for recovering his throne, by fair and open force. Abregè Chronologique de l'Hiſtoire de France; tom. viii. p. 398.

The acceſſion or conſent of James to the aſſaſſination of William, is inſinuated in a memorial which was to have been delivered at the peace of Reſwick, in vindication of William's government. Somers' Collections, vol. i p. 401.

This charge, however, is by no means ſupported with evidence deſerving of credit. James expreſſes the utmoſt horror at being ſuſpected of ſuch a crime; affirms, that he had often rejected propoſals made to him for aſſaſſinating William; and inſinuates, that theſe propoſals proceeded from the inſtigation of his enemies, with a deſign to inſnare him. Life of James, 1696.

It is evident, that the authors, who accuſe James, fall into inaccuracy, by connecting the commands he gave to promote a general inſurrection, with the intentions of thoſe who conſpired to aſſaſſinate William. The teſtimony of ſir John Fenwick, when circumſtances are attended to, appears to be of no weight in the ſcale of evidence. Under the dread of death, he wiſhed to advance ſome claim to merit; and, to move the compaſſion of William, ſent his lady to Dr Burnet, declaring that he had been ſhocked with the project of the aſſaſſination, and threatened to break with his party if they perſiſted in ſuch an atrocious deſign. And, after all, his belief of the aſſaſſination was founded upon hearſay evidence.

All the conſpirators, who were convicted, ſolemnly acquitted James, before their execution, of any knowledge or participation of the deſign of aſſaſſinating William. Tindal, vol. iii. p. 237, &c.

and

and to baniſh all papiſts from London and Weſtminſter. It was enacted, that, upon the event of the king's death, the preſent parliament ſhould not be diſſolved. Both houſes concurred in an aſſociation, binding themſelves to ſtand by and aſſiſt each other, in defence of his perſon and government, againſt king James and all his adherents; and, in caſe his majeſty ſhould come to a violent death, to unite in revenging it upon his enemies, and in ſupporting and defending the ſucceſſion of the crown, according to the act of the firſt year of the reign of William and Mary. It was declared, that no perſon who did not ſubſcribe it, ſhould be capable of holding any public office or truſt [19]. The example of parliament was followed by all the counties, corporations, and ſubordinate claſſes of citizens. The ſounds of loyal aſſociations were heard in every corner; and expreſſions of attachment to the preſent government, and to the perſon of the king, were daily preſented to the court [20]. The ſupplies this year were granted with great readineſs, and amounted to five millions twenty-four thouſand eight hundred and fifty-three pounds. To aſſiſt the credit of government, a new bank was erected, which was called a land bank, becauſe the ſecurities were to be upon land; and, as it had been projected and patroniſed by the leaders of the tories, it was expected that it would anſwer an important political purpoſe, by rendering

[19] Journ. Lords and Commons, 24th, 25th and 27th February, &c.

[20] Among theſe addreſſes there was one ſubſcribed by an hundred young gentlemen, beſeeching his majeſty to receive them as a troop of guards for the preſervation of his perſon; and devoting themſelves entirely to his ſervice when and wherever he ſhould command them.

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them more obſequious to the court. Parliament was prorogued on the twenty-ſeventh of April.

1696. Trial of the conſpirators.

After the concluſion of this ſeſſion, many perſons were apprehended and tried; ſome for being acceſſory to the intended invaſion, and others for being concerned in the conſpiracy to aſſaſſinate the king. Among theſe, the moſt diſtinguiſhed were, ſir John Friend, who had acquired great wealth as a merchant in the city, and ſir William Perkins, a gentleman of landed property, and one of the clerks in chancery. Of ten who were condemned, eight were executed, and two pardoned [21]. It is ſomewhat remarkable, that all the perſons apprehended upon ſuſpicion, were convicted upon the cleareſt evidence, and according to the forms of law, except ſir John Fenwick, in whoſe caſe government found it neceſſary to have recourſe to a bill of attainder [22]. The ſentiments of the nation were divided with reſpect to the propriety of this meaſure, and the ſeverity of adminiſtration was generally condemned. The reader will judge for himſelf, by attending to the following conciſe detail of the circumſtances of the caſe, and of the arguments upon which the attainder was either juſtified or condemned.

Bill for attainting ſir John Fenwick.

Debates on it.

Againſt ſir John Fenwick, only one witneſs was produced; another witneſs had fled, but had previouſly been examined by one of the ſecretaries of ſtate; and his evidence, together with the record of the conviction of Cook, one of the conſpirators, afforded a ſtrong preſumption of ſir John's guilt. The grand jury had found the bill,

[21] State Trials, vol. v.

[22] The attainder of ſir John Fenwick did not paſs till the next ſeſſion of parliament; but, upon account of its connexion with the hiſtory of the conſpiracy, I have introduced it in his place.

but

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but his friends uſed many artifices to delay the trial; and, as at laſt the evidence of two witneſſes in court was wanting, there remained no other method of procuring his condemnation, but by a bill of attainder.

It was argued by thoſe who oppoſed the bill, that ſuch a mode of trial and condemnation ought to be reſorted to only in caſes of the higheſt importance, where circumſtances rendered it impoſſible to follow the courſe of law. When perſons accuſed of treaſon made their eſcape out of the country, which was a tacit acknowledgment of guilt, there was no other remedy; or when they were found in arms, as was the caſe of the duke of Monmouth, no injuſtice was done in eſtabliſhing their condemnation by the interpoſition of legiſlative authority. A departing from the ordinary methods of trial, without the plea of neceſſity, was one of the moſt dangerous expedients of tyranny that had been practiſed in the preceding reign, and had often been made the inſtrument of ſhedding innocent blood. The avowed reaſon for moving a bill of attainder, was not becauſe ſir John Fenwick could not otherwiſe be tried, but becauſe he could not otherwiſe be condemned. The evidence which law required to convict any perſon accuſed of treaſon, and the advantages which it afforded him, were entitled to ſacred reſpect, not on account of the mere authority of the law, but on account of the conformity of that law to the eternal rules of equity and juſtice. Admitting that the parliament had the power of diſpenſing with the ordinary forms of juſtice, yet it would be dangerous to do ſo, except in caſes the moſt urgent; and it would be peculiarly inconſiſtent, in that very parliament, which had reformed the laws of treaſon,

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to ſet them aſide by the wanton exertion of legiſlative authority.

1696. They, who contended for the act of attainder, founded their arguments entirely upon the extremely perilous ſituation of the kingdom. It was notorious, that, while an invaſion from France was impending, many perſons at home were conſpiring againſt the government and the life of the king. It would be eaſy for ſuch to elude puniſhment by removing witneſſes, and to carry on their treaſonable deſigns with ſuch addreſs as might ſcreen them from danger, if there were no means of conviction, but thoſe which were publiſhed, and therefore guarded againſt by the foreſight and caution of the criminal. Sir John Fenwick's condemnation was not deſired by government from any motive of reſentment, but on account of its influence as an example; to ſhew that there was a remedy in caſes, where ingenuity might take advantage of the forms or lenity of law. In point of eſſential juſtice, it made little difference, whether the perſon ſuſpected fled from his country himſelf, or removed the witneſſes againſt him; or by any other method deſtroyed the means of conviction preſcribed by the ſtatute; while yet there remained ſufficient proof to ſatisfy every conſcientious perſon of his guilt. Both parties agreed, that the legiſlative authority might diſpenſe with the ordinary forms of law in caſes of extraordinary importance. The only queſtion, upon which they could differ, was, Whether the preſent caſe came under that deſcription, and whether paſſing the preſent bill would contribute to the benefit, or injury of the conſtitution? It was a precedent, which even the movers of it wiſhed never to be followed, except in caſes like the preſent, where the very exiſtence

of

of government was at ſtake [23]. The bill was carried in the houſe of commons by an hundred and eighty-nine votes againſt one hundred and fifty-ſix, and in the houſe of lords by ſixty-eight votes againſt ſixty-one. CHAP. XVI. 1696. It paſſes.

Though it may be candidly admitted, that principle, and a true regard to the intereſt of the nation, had great influence on many who voted for this bill, yet there is great reaſon to ſuſpect, that leſs honourable motives operated upon the minds of ſome, who appeared moſt anxious for its ſucceſs. Sir John Fenwick, in hope of obtaining a pardon, had not only made an offer of important diſcoveries, but had named ſeveral perſons of rank, and ſome in office, as concerned in the late conſpiracy. This information, though cenſured by the houſe of commons as falſe and malicious, and repreſented in the ſame colours by the moſt reſpectable hiſtorians of that period [24], appears, from the evidence lately publiſhed, to have been well founded, and could not fail to provoke the reſentment of individuals, whoſe ſafety depended on removing, at any rate, and by any meaſure, ſuch a dangerous inſtrument of diſcovery and accuſation [25].

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[23] Journ. Lords and Commons, November, December, and January, 1697. Lords' Debates, vol. ii. Ralph, vol. ii. p. 693.

[24] Journ. Commons, 6th Nov. Burnet.

[25] Mr. Macpherſon, upon the authority of the Life of James, imputes the attainder of ſir John Fenwick to a perſonal enmity of William againſt him. Macpherſon's Hiſtory, vol. ii. chap. 3 Life of James, 1696

If the Life of James is admitted as authentic, on the one hand, with reſpect to every allegation and fact favourable to his own character; and as equally authentic, on the other, in eſtabliſhing every inſinuation reproachful to the character of William; it is obvious what the conſequence muſt be, and how unfairly a perſon, truſting to ſuch information, muſt judge, concerning

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1696. Campaign 1696.

The campaign of the year ſixteen hundred and ninety-ſix, as it was in effect the laſt, ſo it was the moſt inactive and unintereſting which happened in the courſe of the war. The operations of the allies were greatly cramped, and the ſpirit of the Engliſh army, in particular, depreſſed, by the failure of the ſupplies voted by parliament. The project of the land bank, upon which great expectations were founded, had utterly miſgiven, and the recalling of the debaſed coin, in obedience to a reſolution of parliament, made ſuch a ſcarcity of current money, and ſuch a ſtagnation of trade, as ruined many private fortunes, and ſtaggered the credit of the nation at large. The whole addreſs, and ingenuity of commanders, were employed to ſuſtain the army, under declining credit, and to keep them in good temper, under the hardſhips which they ſuffered from want of pay. Fortunately, the exhauſted ſtate of the French finances, as well as great internal ſcarcity of proviſions, diſabled them from taking any advantage of the diſtreſs of the allies; and, except the withdrawing of the duke of Savoy from the confederacy, no material event happened in the courſe of this campaign. And as that event had been foreſeen, it was wiſely provided againſt by our generals; and did not produce the alarm and confuſion which might have ariſen, if it had been

cerning the conduct of James and William. The attainder of ſir John Fenwick is an example of the prudence of William, in reſtraining his reſentment. He was not ignorant of the treachery of ſome of thoſe perſons, whom, at that time, he honoured and employed. Had he been prone to reſentment, he might have gratified it more extenſively and effectually, by ſaving ſir John Fenwick, and admitting him as an evidence againſt thoſe men, whoſe treachery was aggravated by ingratitude: but, upon this and many other occaſions, William ſacrificed reſentment to conſiderations of prudence and generoſity.

conducted

conducted in a private and concealed manner, and taken them at ſurpriſe [26].

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Sir 1696.

[26] The duke of Savoy was attached to the court of France; but, under the impulſe of reſentment againſt Louvois, the French miniſter, he joined the confederacy. The French agents had been ſecretly tampering with him, ever ſince the commencement of the war: the allies truſted him with reſerve and jealouſy; and were fortunate enough to delay the payment of the ſubſidy due to him according to treaty, while he, on the other hand, in order to obtain it, endeavoured to conceal the negociations, now advancing, for a ſeparate peace between him and France. He obtained the reſtoration of all the places taken from him during the war, and four thouſand livres for reparation of the damages which he had ſuſtained; but what, more than theſe advantages, contributed to aggrandize his family, was a marriage contracted between his daughter and the duke of Burgundy, eldeſt ſon of the dauphin. Annals of Politics 1696.

Lamberti gives the following curious account of the duke's defection: "A meſſenger was diſpatched by the court of "France, to inform the duke of Savoy of the intended aſſaſſi-"nation of king William; and to repreſent to him, that this "notice was given from motives of friendſhip. It was ſuggeſted "to him, that he might now obtain advantageous terms from "France; but if William, the keyſtone of the alliance, ſhould "fall, what could he do? The duke was ſtruck with aſtoniſh-"ment; the meſſenger took advantage of this, and declared, "in a peremptory manner, that he muſt immediately take his "reſolution, and return his anſwer. The duke begged to be "indulged in a ſingle half hour to deliberate: he walked "about for a little while in his cloſet; and then accepted of the "conditions of peace offered to him by France." Lamberti, 1696.

The following paragraph, much to the ſame purpoſe, occurs in the Monthly Mercury of April 1696, under the article *Italy*.

"The new project of the French king, and of James, upon "England, was as ſoon known in Italy as in Holland. A cou-"rier was diſpatched from the duke of Orleans to the duke of "Savoy, his ſon-in-law, to lay before him the projects of the "king of France and of James; and without diſcovering the "conſpiracy, at the ſame time ſet on foot againſt the perſon of "William, told him only, that meaſures were taken for reſtoring "James which were infallible; and therefore exhorted him not

"to

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Sir George Rooke, who had ſailed with a large fleet from Cadiz, was recalled upon the diſcovery of the conſpiracy. The Engliſh fleet afterwards

1696. July. ſailed under the command of lord Berkley, and made ſome depredations upon the coaſt of France; but this advantage was balanced by the ſucceſs of

June. the French admiral, Du Bart, who fell in with a large fleet of merchant ſhips belonging to the Dutch, under the convoy of ſix frigates. The frigates were taken, and four of them burned. Thirty of the merchant ſhips were deſtroyed [27].

The ſecond ſeſſion of the third parliament of William met on the twentieth of October. The preceding campaign, barren of events and ſucceſs, afforded the king no materials for congratulation in his ſpeech to the parliament. He was happy, he obſerved, that the year had paſſed, without any diſadvantage abroad, or diſorder at home, conſidering the diſappointments ariſing from the funds, and the difficulties which had attended the recoining of the money. This, conſidered as a proof of the diſpoſition of the army, and of the ſteady affection of his people, gave him great ſatisfaction. He acquainted them, that ſome overtures had been made for a general peace; notwithſtanding which, he urged the neceſſity of liberal ſupplies, for carrying on the war, and making good the funds already granted. He recommended to their conſideration the inconveniences which ſtill remained with reſpect to the coin, and hoped they would find out the beſt expedients for recovering public credit, abſolute-

"to loſe a minute's time in making a private and advantageous "peace, to prevent him from being involved in the ruin of the "confederates, which would be ſure to follow the approaching "revolution."

[27] Lives of the Admirals, vol. ii. p. 423.

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Meaſures to relieve the embarraſſments of the revenue.

ly neceſſary for maintaining the war, and carrying on trade.

The patriotic exertions of the commons in this ſeſſion, deſerve to be remembered with the warmeſt gratitude by poſterity. Both admiration and eſteem are called forth, while we conſider the ingenuity of individuals, in deviſing expedients, to deliver the nation from the moſt preſſing embarraſſments; and the generoſity of parties, in ſuſpending animoſities, and cordially adopting thoſe meaſures, which were eſſential for reſtoring national credit and proſperity. While the example of their wiſdom and ſucceſs inculcates this encouraging maxim, that the patriot ought never to deſpair under the darkeſt and moſt perplexing aſpect of public affairs, the reſolutions and meaſures, which they purſued, exhibit ſpecific remedies for ſimilar calamities, if they ſhould occur at any future period. I ſhall only, in general, mention thoſe facts which give an aſtoniſhing view of the ſpirit and wiſdom, diſplayed in the houſe of commons. Every former ſeſſion of parliament, ſince the commencement of the war, had never propoſed any thing farther, than to impoſe taxes adequate to the intereſt of the principal ſums borrowed for the ſervices of the year; and they had often failed in this purpoſe, through the inſufficiency of the funds for the payments aſſigned to them, and exchequer tallies were diſcounted at the rate of thirty or forty per cent. The houſe of commons, during this ſeſſion, not only provided funds for raiſing the whole ſupplies within the year, but alſo for diſcharging the deficiencies of all former ſupplies. The ſum of five hundred and fifteen thouſand pounds was voted for the relief of the civil liſt, which was in arrears, and the ſum of one hundred and twenty-five thouſand pounds,

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pounds, for making good the deficiency in recoining the money. Theſe reſolutions, and the meaſures by which they were accompliſhed, while they reflect honour on all who acceded to them, conſecrate the name of Mr. Montague, the chancellor of the exchequer, to diſtinguiſhed and laſting applauſe. Poſſeſſed of an underſtanding penetrating and comprehenſive, he devoted himſelf, with intenſe application, to the ſtudy of finance; and ſuggeſted expedients and reſources, which not only eluded the reſearches of the moſt ingenious ſpeculators, but exceeded the comprehenſion of many, who were far from being ignorant or inexpert with reſpect to the ordinary buſineſs of the revenue. The names of the celebrated ſir Iſaac Newton, and Mr. Locke, are alſo tranſmitted to our gratitude, for having contributed their aſſiſtance to Mr. Montague in this arduous buſineſs; and it is a pleaſure to publiſh every circumſtance, which adds to the merit of thoſe, whoſe memory is ſo precious to every friend of ſcience and virtue [28]. At the ſame time it may be obſerved, that all their ingenuity would have been exerciſed in vain, and all their expedients and reſources muſt have failed, if the means and faculties of the nation had not been in a ſtate of progreſſive improvement. A ſum exceeding ten millions, raiſed within the ſpace of one year, in a nation which had already ſupported ſeven expenſive campaigns, affords the moſt unequivocal proof of the increaſe of national proſperity, in conſequence of the revolution; and founds a juſt expectation that ſuch proſperity will be progreſſive,

[28] Cuningham, vol. i. p. 155

as

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as long as the ſoundneſs and vigour of the Britiſh conſtitution are preſerved [29].

1696. Inquiry concerning miſcarriages at ſea.

At the beginning of this ſeſſion, an inquiry was inſtituted with regard to the miſcarriage of the fleet. Sir George Rooke had been cenſured, for not having intercepted the Toulon ſquadron before it had got round to Breſt. Agreeably to an order of the houſe, he produced his journals, and the inſtructions he had received from the admiralty. Sir Cloudeſly Shovel alſo laid before the commons copies of the orders ſent to him, relating to his junction with ſir George Rooke [30]. It does not appear that the prejudice or ſpirit of party entered into theſe inquiries; and, as no reſolutions were formed upon them, it is fair to conclude, that no ground of criminal charge could be found. The attainder of ſir John Fenwick, the account of which has been anticipated in the preceding pages, conſumed a great proportion of the time of both houſes in this ſeſſion, which terminated on the ſixteenth of April, one thouſand ſix hundred and ninety-ſeven.

[29] Drake's Hiſtory of the laſt Parliament.

"The renewing of the money of England, ſo debaſed and "counterfeited as it was, will certainly be one of the moſt re- "markable occurrences for future hiſtorians to take notice of: "an enterpriſe which equally proves the puiſſance and wiſdom "of the nation. There is in it ſomething more than uſually "great. At the ſame time that they were to ſet out fleets and "pay formidable armies, of a ſudden they were melting down "almoſt all the money of the kingdom; nevertheleſs they then "provided for all the exigencies of the ſtate." Monthly Mercury, Auguſt 1696, article *England*. I give this as an evidence of the opinion which foreigners entertained of the greatneſs and importance of this tranſaction.

[30] Journ. Commons, November, paſſim.

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Symptoms of the Approach of Peace.—Plenipotentiaries meet at Ryſwick.—The Emperor and the King of Spain averſe to Peace.—The latter brought over by the Succeſs of the French Arms —The Election of a King of Poland makes Lewis more deſirous of the Peace.—Articles ſigned—Merits and Effects of the Peace.—Miſunderſtanding among the Allies the Cauſe of circumſcribing the Advantages of it.—No Toleration obtained for the Proteſtants under the Dominion of France.—Charge againſt King William for conſenting that the Son of James ſhould ſucceed to the Crown of England—founded upon the Conferences between the Earl of Portland and the Marſhal Boufflers.—Conjectures of contemporary Hiſtorians concerning the Subject of theſe Conferences —Extract from the Life of James, charging King William with having conſented to the Succeſſion of his Son.—Reaſons for calling in queſtion the Authority of this Extract.—Circumſtances which render the Fact alleged improbable.—Origin of this Aſperſion upon the Memory of William.—The Succeſſion of the Son of James deſired by Lewis.—Conjecture founded upon the Authority of the Duke of Berwick —The Subject of the Conferences between Portland and Boufflers.—Information of Burnet.—His Character as a Hiſtorian.—Account given by the Marquis de Torcy concerning the Conferences between Portland and Boufflers.—Inferences from the Memorials and Inſtructions ſent to the Plenipotentiaries at Ryſwick.

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AS ſome of the events of the preceding year tended to diſpoſe the inclinations of the contending powers to peace, ſo ſteps had been actually taken to circumſcribe the operations of the war; and various circumſtances concurred to excite

excite the hope of bringing it to a concluſion in the courſe of the next campaign. CHAP. XVII.

The defection of the duke of Savoy, while it reſtored peace to Italy, ſpread a ſpirit of fear and diſtruſt among the confederates [1]. The diſappointment of the French invaſion, and, in conſequence of this, the failure of the conſpiracy intended by the friends of James in England, extinguiſhed the hope of re-eſtabliſhing his power by the continuance of the war [2]. The ambition of the French king was ſtill alive, but the object of it was changed, and appeared to be attainable only through the medium of peace. The infirm conſtitution, and precarious life of the king of Spain, flattered Lewis with the near proſpect of advancing the honour and dominion of his family, by the acceſſion of an extenſive and opulent empire. But his claim to it, though founded upon the right of lineal ſucceſſion, was cut off by the former treaties, which would certainly be enforced by the arms of the confederacy [3]. 1697. Symptoms of the approach of peace.

Influenced by theſe conſiderations, the French king ſent Monſieur Callieres to the Hague, to propoſe overtures for a general peace to Dykevelt, miniſter of the States; who had been warned by William to liſten to them with reſerve, and upon the expreſs condition that nothing ſhould be concluded without being communicated to the allies [4]. One important article was contained in theſe preliminary overtures, namely, that the title of William to the throne of England ſhould be acknowledged by France in the moſt explicit terms; and this alone, notwithſtanding other Sept. 1696.

[1] Hiſtory of Europe.
[2] Life of James, 1696.
[3] Variations de la Monarchie Françoiſe, tome iv. 1697.
[4] Ralph, vol. ii. p 677.

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circumſtances of diſagreement, gave the faireſt hopes of approaching peace [5]. The king of Sweden was alſo engaged, by the ſolicitation of France, to offer his mediation for procuring a general peace; and plenipotentiaries were appointed by England and France to enter into negociations for that purpoſe [6]. After no ſmall altercation about the place of meeting, it was agreed, that the conferences ſhould be held at Newburg-houſe, a palace belonging to the prince of Orange, between the Hague and Delft, and cloſe by the village of Ryſwick [7]. The conferences began upon the ninth of May, one thouſand ſix hundred and ninety-ſeven.

Plenipotentiaries meet at Ryſwick.

The emperor and the king of Spain averſe to peace.

As the emperor and the king of Spain had been brought with difficulty to conſent to the commencement of negociations for peace, ſo they both diſcovered repeated inclinations to diſcontinue and thwart them [8]. The averſion of the emperor to a peace may be traced to the ſame cauſe, which rendered the king of France ſo ſolicitous to obtain it. Upon the death of the king of Spain, theſe two princes were to enter the liſts, in competition for the Spaniſh monarchy; and, conſidering the advantages the French king derived from the argument of natural juſtice, from proximity of ſituation, and military force, the emperor could entertain no

[5] Hiſtorians of the Times.

[6] Charles the Eleventh, king of Sweden, died before the commencement of the negociations for peace; but the mediation of his ſucceſſor, Charles the Twelfth, was offered and accepted. The earl of Pembroke, viſcount Villiers, and ſir Joſeph Williamſon, were named plenipotentiaries by the king of England. To Callieres, the French king added Crecy and Harlay.

[7] Monthly Mercury.

[8] Hiſtoire de France, tom. iii.

proſpect

proſpect of ſucceſs, without the aſſiſtance of a confederacy, formed upon a jealouſy of his rival. Such a confederacy, already ſubſiſting, might act with promptitude and vigour; but, if once diſſolved, it was evident that the renewal of it would be difficult and uncertain; and that, in every view, it muſt be attended with delay which might prove fatal to its deſign [9].

The ambiguity with which France treated concerning the reſtoration of ſome of the places taken from the emperor and Spain in the courſe of the war, and the propoſed ſubſtitution of an undefined equivalent, afforded a more colourable pretext for oppoſing the peace. The reluctance of Spain was at firſt cheriſhed by the influence of a faction at court, adverſe to the claim of France upon the Spaniſh monarchy; but this, as well as other motives of oppoſition, was ſurmounted in the progreſs of the treaty, by the ill ſucceſs which ſtill attended her arms [10]. The loſſes which Spain had hitherto ſuſtained, during the courſe of the war, in diſtant regions of the empire, were eaſily concealed from a prince, whoſe mean underſtanding, and bodily infirmities, rendered him incapable of receiving impreſſions of calamity or danger, which did not immediately fall under the obſervation of his ſenſes. But when Barcelona, ſituated in a contiguous province, was invaded, and at laſt yielded to the arms of France, the conſternation, which agitated the court, quickly diſperſed every ſcruple and objection to the general pacification [11].

The latter brought over by the ſucceſs of the French arms.

[9] Torcy, vol. i.

[10] Ibid.

[11] Spain alſo loſt Aeth in the courſe of theſe negociations. The king was ſo ignorant as to believe that Mons belonged to the king of England, and to pity that prince when it was taken by

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1697. The election of a king of Poland makes Lewis more desirous of peace.

In the course of the negociations an event occurred, which rendered France still more eager for the attainment of peace; and disposed her to relax somewhat of the rigour of those demands, which evidently militated against justice, and the interest and honour of the allies. She had exerted her utmost influence to obtain the vacant throne of Poland for the prince of Conti, whose elevation she expected would contribute to strengthen her hands against the allies; and she was just upon the eve of establishing his success, by the influence of the cardinal primate, when the elector of Saxony became a competitor, and, by declaring his conversion to the Roman catholic religion, detached the cardinal from the party of France; and, by engagements to the Polish nobility, secured their suffrages for him at the election [12].

27th July.

Articles signed.

The peace now advanced without any material interruption; and the articles of it were signed by the English, Dutch, Spanish, and French ambassadors, on the twentieth of September, one thousand six hundred and ninety-seven. The imperial and electoral ambassadors, by the instigation of the emperor, entered their protestation against it [13]. It was impossible that the emperor could stand single and unsupported against the power of France. His pride and obstinacy were, however, in some measure satisfied, by the re-

by Lewis. Torcy, vol. i p. 8. A French fleet was sent to the West Indies, and took Carthagena; and, though that event was not known till after the peace was signed, yet the fear of it may be supposed to have had influence upon the court of Spain, 20th September 1697.

[12] Histoire de France, tom. iii.

[13] Ralph, vol. ii. p. 753.

luctance

luctance and hesitation of his concessions to the constraint of political necessity. He first consented to a cessation of hostilities with France: he next accepted of Brisac and Frisburg, as an equivalent for Strasburg; and, at last, he put the finishing hand to the peace, by signing the articles, with expressions of discontent, a month after the rest of the confederates [14].

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By the terms of the peace, no new or striking advantage was obtained by any of the contending powers; and the political state of Europe was placed nearly in the same posture as that, in which it had stood at the commencement of the war. In this simple and general view, the treasure and blood of the confederates may appear to have been wantonly and unprofitably lavished; and England, which contributed more than her proportion of both, though she had least to expect from the successful issue of the war, may appear to deserve the greatest share of that censure which is due to rash and destructive policy.

Merits and effects of the peace.

In order to estimate, candidly and truly, the merits of the peace of Ryswick, so far as they relate to the interest of England, it is necessary to recollect the motives, which engaged her to enter into the war, and the advantages she expected from the prosecution of it.

[14] By the fourth article of peace, the French king promises, for himself and his successors, that he will on no account whatsoever disturb the king of Great-Britain in the possession of the kingdoms, &c. which he now enjoys; and therefore engages, upon the faith and word of a king, that he will not give any assistance to any enemy of the said king of Great-Britain; and that he will in no manner whatsoever favour the conspiracies which ill-disposed persons may, in any place, contrive against said king. See the articles of the peace, Life of William, vol. iii. Appendix, p. 22.

There

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There were, evidently, two principal objects of the war, intereſting both to England and the allies: 1ſt, It was intended to control the ambition and depreſs the power of France: 2dly, It was neceſſary to confirm the revolution, and to ſecure to William the poſſeſſion of the throne of England. In the firſt of theſe, England was intereſted more remotely, and conjunctly with the other confederate powers; but the other, namely, the confirmation and permanent eſtabliſhment of the revolution ſettlement, was her peculiar, appropriated concern; though, by its immediate effects, it was intimately connected with the former, and ſo far reckoned an object of general concern to the allies. The zeal of William to humble France, ſupported by the wealth and power of England, it was believed, would fully anſwer the moſt ſanguine expectations of the confederacy. It has been obſerved, in preceding paſſages of this hiſtory that the power of France, from a variety of incidents, had aſcended to ſuch a pitch as to excite univerſal jealouſy and alarm. From her repeated incurſions into the frontiers of Holland, as well as from her intrigues with internal factions in the States, it could not be doubted, that they, after the conqueſt of the Spaniſh provinces in the Low Countries, were deſtined to be the victims of her ambition. If the power, and, particularly the maritime power of France, had been augmented by the conqueſt of Holland, or even by its reduction to a ſtate of dependence upon her, the commerce, the opulence, and the force of England, muſt have been, in proportion, reſtricted and diminiſhed. Nay, there was ground to apprehend, that, in conſequence of ſuch an event, the independence and conſtitution of England would have been expoſed to extreme hazard. Attending to theſe circumſtances,

ſtances, it is natural to ſuppoſe, that the patriotic anxiety of William for Holland rendered him ſedulous to propagate a terror of the power of France, in order to aſſociate neighbouring princes in a common ſcheme of defence; and particularly to cheriſh, as far as his influence extended, in England, an impreſſion of the inſeparable connection of her intereſt with that of Holland. His elevation to the throne of England augmented that influence: but it is evident that he did not plant or inſpire thoſe ſentiments of oppoſition between the intereſt of France and England, or of a connexion between that of England and Holland. From the whole tenor of the preceding hiſtory we have ſeen, that a jealouſy of France was the predominant paſſion of the Engliſh, that the oppoſing this paſſion was the cauſe of the diſcontent and factions, which diſturbed the reign of Charles the Second; and that the well-known conformity of the ſentiments and affections of William to thoſe of the Engliſh, with reſpect to foreign politics, firſt excited the ſtrong prejudices of the nation in favour of that prince, and paved his way to the throne of England. The deſire of reducing the power of France was not, therefore, ſuggeſted by William to the people of England; but was already engraved upon their hearts, and diſpoſed them to enter, with full approbation, into the war; and, in the proſecution of it, to ſubmit to public burdens, unexampled in any preceding period. How far then was this object attained by the war, or finally ſecured by the peace. It will be readily acknowledged, that the ſucceſs of the war was not adequate to what might have been expected from the collected forces of the confederates, and the ſpirit and views with which they entered into it; and, in the ſame proportion, the terms of peace fell ſhort of thoſe

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views, which had been generally indulged at the commencement of hoſtilities; and were found, after the experience of a few years, inſufficient to reſtrain the uſurping ſpirit of Lewis. But ſtill, though the territorial dominions of France were not impaired, nor her ambition extinguiſhed, nor the power of gratifying it, in future, annihilated, there remained obvious and important advantages, which ought fairly to be aſcribed to the war, and which were ſufficiently ſecured by the articles of the peace. The encroachments, which the French king attempted to make upon the provinces of Spain, of the empire, and the States, were prevented: their frontiers were defined, and better fortified againſt any future aſſaults from France: her internal power was weakened: her reſources were exhauſted; and ſhe was reduced to a ſtate leſs formidable to Europe, than that, in which ſhe ſtood previous to the reſiſtance ſhe met with from the arms of the confederacy.

As the oppoſition of France to the revolution in England, and the aſſiſtance ſhe promiſed to James, was another cauſe of the war, ſo the acknowledgment of the right of William, in the moſt explicit terms, and the renunciation of any future ſupport to the dethroned prince, which were fully obtained and ſecured by the peace of Ryſwick, gave confirmation and ſtability to the revolution. In this view, its merits muſt ſtand high in the eſtimation of every friend to liberty and the conſtitution. If the revolution was indiſpenſable to the attainment and preſervation of theſe; if the fruits of it, which we ourſelves have reaped, exceed the moſt ſanguine hopes and calculations of thoſe, who were the inſtruments of promoting it, can we heſitate to pronounce, that it was impoſſible for the nation to pay too great a price for ſuch ineſtimable bleſſings; and,

that

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that it would have been daſtardly and treacherous in our fathers, to have ſhrunk from expence and dangers, which were neceſſary to render them ſecure and permanent to their poſterity?

Though theſe ſubſtantial advantages were obtained by the war, it muſt be regretted, that an unfortunate miſunderſtanding among the allies, after the commencement of their negociations for peace, was not only the occaſion of their ſacrificing the intereſts of their common friends, but of their thwarting one another in articles, in which the honour of the principal members of the confederacy ſeemed to have been deeply engaged. The dutchy of Lorrain was reſtored to its proprietor, in that diſmembered, dependent condition, to which it had been reduced by the peace of Nimeguen; and to which his predeceſſor never had conſented [15]. The expectations of the French proteſtants were fatally diſappointed by the concluſion of the peace. They had met with a kind reception from the king and the people of England, and were encouraged to hope, that their reſtoration, and the free exerciſe of their religion, would have been made a condition of the

Miſunderſtanding among the allies, the cauſe of circumſcribing the advantages of it.

[15] The duke of Lorrain had rendered eſſential ſervices to the emperor and the States, in the war concluded by the peace of Nimiguen 1678; and yet, by the terms of the peace, he was almoſt entirely ſubjected to the diſcretion of France, which inſiſted upon retaining the property of lands running through his country. To theſe terms he had refuſed to conſent. Upon the commencement of the war 1689, he was appointed to the chief command of the imperial army; and, at the ſame time, he publiſhed a manifeſto, declaring war againſt France, in his own right. His death, April 1690, when he was juſt preparing to take the field, was reckoned ominous to the allies; as he was eſteemed a gallant ſoldier and able general. The deſertion of the ſon, who was a minor, at the peace of Ryſwick, brought a great ſtain upon the allies.

The

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the treaty; but, as if it had been a matter of inferior moment, or, perhaps, from a foreboding of diſappointment, their buſineſs was poſtponed till the cloſe of the treaty. Two days before ſigning the articles between England, Spain, Holland, and France, a memorial was preſented by the Dutch plenipotentiaries, in favour of the proteſtant refugees. The French king received the propoſal with diſpleaſure, and declared, that he conſidered it as an invaſion of his prerogative, for foreign princes to preſume to interfere in any ſubject connected with the internal government of his kingdom [16].

No toleration obtained for the proteſtants under the dominion of France.

The proteſtant religion ſuſtained a ſhock in another inſtance; after it appeared ſecure, by the firſt ſteps in the negociations for peace. In conformity to the articles of the peace of Weſtphalia, admitted as the baſis of the preſent treaty, as well as the fundamental laws of the empire, and repeated and ſolemn ratifications, it was demanded by the ambaſſadors of the proteſtant princes, that the Lutheran religion ſhould be tolerated in Straſburg, and other cities of Alſatia, left in the poſſeſſion of France; but this demand, however juſt, and however much deſired by king

The queen of Poland preſented a memorial to the plenipotentiaries, repreſenting, in ſpirited and pathetic terms, the injuſtice done to her ſon and family. The reſtoration of Lorrain to her ſon, ſhe demanded as a preliminary to the peace. "I plead," ſays ſhe, "in behalf of four orphan children, of whom the "eldeſt is Leopold duke of Lorrain, deſcended from ſixty-"ſeven dukes, one after another, of this auguſt race, and ſo "illuſtrious, that there is not any king or prince now living in "Europe, no not the king of France himſelf, but has ſome of "their blood running in his veins." Monthly Mercury, July 1697. The tenth article of the treaty relates to Lorrain; but does no more than renew what was agreed to at Nimiguen, to which the late duke never had contented. Ibid.

[16] Tindal, vol. iii.

William

William and the States, was defeated by the bigotry or ill humour of the emperor, who agreed, by the fourth article of the treaty with France, that the Roman catholic religion ſhould remain in the ſame ſtate, in the places reſtored, as it then was. A joint remonſtrance againſt this article was preſented by the miniſters of the proteſtant princes, but could not procure the ſuppreſſion of it; and, of conſequence, a great number of proteſtant churches was condemned [17].

Whatever demerit was contracted by the neglect of the proteſtant intereſt, and whatever injuries it ſuſtained, in the inſtances now mentioned, at the peace of Ryſwick, they are equally chargeable upon all the proteſtant powers who were engaged in the confederacy. A charge of a more heinous nature, and deeply affecting the veracity and the honour of William, was obliquely inſinuated immediatly after the concluſion of the peace; but met with little credit at that period. It has been again revived by a late hiſtorian, and affirmed with ſuch poſitive aſſurance, and with ſuch pretenſions to proof, as require a full and accurate diſcuſſion, in order to form a juſt opinion of the character of William, and of the internal ſtate of politics in England [18]. The charge againſt him is this; that, by a ſecret article of the treaty with Lewis, he conſented that the ſon of James ſhould ſucceed to the crown of England after his own demiſe; and that, upon this expreſs condition, Lewis engaged to acknowledge the title of William, and to give him no diſturbance in the poſſeſſion of the crown during the remaining part of his life [19].

Charge againſt king William, for conſenting that the ſon of James ſhould ſucceed to the crown of England.

[17] Burnet, 1697.
[18] Macpherſon, vol. ii. c. 3.
[19] Ibid.

That

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That the reader may be enabled to judge, after full information, concerning the nature and evidence of this charge, I ſhall now recite the circumſtances from which it aroſe, and attend to the different inferences drawn from them by contemporary authors. I ſhall next give a fair account of the authority and evidence, upon which the opinion of Mr. Macpherſon is founded; and ſhall ſtate the objections, to which, both that evidence, and his concluſions, are liable.

Founded upon the conferences between the earl of Portland and the marſhal Boufflers.

After the treaty of peace had been carried on for three months, without the near proſpect of a concluſion, the curioſity and expectation, of all the different parties concerned in it, were attracted by a new and unlooked-for ſcene of negociation. The earl of Portland, the confident of king William, and marſhal Boufflers, one of the generals of France, often met between the two armies near Hall, without attendants, and continued for a conſiderable time in conference. The firſt of theſe conferences was held on the tenth of July, one thouſand ſix hundred and ninety-ſeven; they were repeated on the fifteenth, the twentieth, the twenty-ſixth, of the ſame month, and concluded on the fourth of Auguſt; when, after having remained ſeveral hours in the field, the earl and the marſhal retired to a houſe in the ſuburbs of Hall, called for pen, ink, and paper, and, it is ſuppoſed, reduced to writing the ſubject or terms of peace, which they had previouſly diſcuſſed and ſettled in the field [20]. The day after this laſt interview the king left the camp, and retired to Loo; and the earl of Portland was ſent to acquaint the commiſſioners of the allies, that, ſo far as concerned his maſter,

[20] Hiſtorians of the times.

every

every thing was settled between England and France; and to recommend to them, and particularly to the agents of the emperor, who had hitherto appeared tardy and dissatisfied, to hasten their endeavours to bring about a general peace [21].

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It never was clearly ascertained, whether these detached conferences, between Portland and Boufflers, were first proposed by William or Lewis; and, as the subject of them remained a profound mystery, not only to the world, but to the plenipotentiaries of the confederates, they proved the occasion of various conjectures, and excited the hopes and the fears of different parties. Doctor Burnet asserts, that the earl of Portland told him, that the subject of these conferences was concerning king James [22]. Kennet informs us, that many of king William's friends entertained a suspicion, that he had entered into a private agreement with the king of France about king James, or his issue, upon conditions of having the peaceful enjoyment of his dominions during life, and of being acknowledged king of Great Britain by his Christian majesty; that some were of opinion, that these conferences related to the dowry of king James's queen; and that others again, at a later period, conjectured, that they were the foundation of the partition treaty, afterwards concluded between William and the king of France [23]. The author of the Life of William adopts the narrative of Kennet [24]. In an extract of the Life of James, published by Mr. Macpherson, it is positively affirm-

Conjectures of contemporary historians, concerning the subject of these conferences.

[21] Vie de Boufflers. Life of William.
[22] Burnet, 1697
[23] Kennet, vol. iii. p. 737.
[24] Life of William, vol. iii. 1697.

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ed, "That the king of France had underhand "prevailed with the prince of Orange, to con- "ſent that the prince of Wales ſhould ſucceed "to the throne of England after his death." But, according to the ſame extract, "the pro- "poſal was rejected by James, upon the ſcore of "conſcience. He could not ſupport the thoughts "of making his own child an accomplice to his "unjuſt dethronement [25]." Upon the authority of this extract, Mr. Macpherſon admits it as a fact, that the ſucceſſion of the ſon of the exiled king was the ſubject of the ſecret negociations, carried on by the earl of Portland and marſhal Boufflers; that William conſented to the ſon of James ſucceeding to the throne of England after his death; that Lewis engaged, upon this condition, to acknowledge his title, and allow his reign to elapſe in peace; and that thus, a myſtery, long impenetrable, is now cleary developed. From theſe concluſions, this hiſtorian declaims, with pointed invective, againſt the hypocriſy, the ambition, and the treachery, of the man, whoſe actions have been hitherto aſcribed to public ſpirit, and zeal for the cauſe of civil and religious liberty. In order to ſuſtain the charge, and, perhaps, to extenuate the guilt involved in it, he enumerates the motives, which, probably, prevailed with William to ſacrifice honour, principle, and conſiſtency of character, to political advantages [26]. But if the fact is once admitted, the propriety of the detraction will not be controverted; and the character of William muſt ſink, in the eſtimation of thoſe, who, however much they may

1697. Extract from the Life of James, charging king William with having conſented to the ſucceſſion of his ſon.

[25] Life of James, 1697, Extract 2.
[26] Macpherſon, vol. ii. c. iii.

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be warped by the prejudice of party, ſtill maintain inflexible principles of morality, and a ſupreme veneration for immaculate examples of honour and patriotiſm.

Reaſons for calling in queſtion the authority of this extract.

At the very threſhold of this diſpute, the candid inquirer will find himſelf ſtaggered with thoſe circumſtances ſuggeſted by Mr. Macpherſon, with reſpect to the authority of that information, which is the ſolitary baſis of ſuch deep crimination, imputed to the character of William. It is acknowledged by this author, that the Continuation of the Life of James, from which the extract, containing this remarkable information, is tranſcribed, was written or compoſed, not by James himſelf, but by another hand [27]. But he adds, "As it was done under his inſpection, and cor-"rected by himſelf, it poſſeſſes as much authority "as if it had been written by him, in his own "hand [28]." To every inquiſitive reader the following queſtions will ſpontaneouſly occur, as the ſolution of them appears moſt important, to direct his judgment upon the ſubject now under our contemplation. Who was the author or writer of the Continuation of the Life of James? From whom did he derive his information? From what evidence is it concluded, that the work was reviſed or corrected by James? Can any ſatisfactory reaſon be aſſigned, why James, who ſurvived four years after the peace of Ryſwick, and who had committed to writing, with inceſſant labour, many trivial incidents of his former life, ſhould have laid down the pen, and diſcontinued his journal, when an event ſtarted up, ſo intereſting to his family, ſo reproachful to the cha-

[27] Life of James, 1697, Extract 2, in the note.
[28] Life of James, 1697.

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racter of his antagoniſt; an event which afforded ſo honourable a teſtimony, as he imagined, to the ſteadineſs and purity of his own principles; and which, in various points of view, muſt have appeared a diſtinguiſhed ſubject of record?

Circumſtances which render the fact alleged improbable.

But ſuppoſe again, that the propoſal, of ſecuring to the family of James the ſucceſſion to the crown, had really been made by Lewis, agreed to by William, and imparted to James, is it credible, that it could have been concealed from the friends of the latter? or, if the fact had been made known to them, that it ſhould not have entered the circle of converſation, and added to the maſs of political intelligence, among all parties in France and England? It is not alleged, in the Life of James, nor pretended by Mr. Macpherſon, that Lewis exacted any obligation to ſecrecy from James; nor was there any reaſon why he ſhould have come under ſuch an obligation, ſince the tranſaction was begun and finiſhed without his knowledge or participation [29]. Beſides the difficulty of keeping a ſecret, ſo well calculated to gratify curioſity and excite aſtoniſhment, which are ſtrong temptations to reveal ſecrets, various and preſſing motives muſt have induced the friends of Lewis and James to divulge it to the world. The latter were depreſſed and offended by the coldneſs with which the affairs of their maſter were treated, during the progreſs of the negociations at the congreſs, and at laſt driven to deſpair, and filled with indignation, when they found that his intereſts were treacherouſly neglected by Lewis, at the peace of Ryſwick. After repeated and flattering promiſes, Lewis did not ſo much as inſiſt, that the commiſſioners of James

[29] Life of Bentinck, Biographia Britannica.

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ſhould be acceſſory to the negotiations for peace. Even his memorials were excluded from conſideration, nor did it appear, that any remonſtrance or proteſtation was entered, in the name of the French king, in order to palliate the indignity of the affront, or any condition or advantage obtained by his interceſſion for James, to mitigate the ſeverity of a ſentence of degradation and exile, corroborated by the ſolemn engagements of the moſt conſiderable princes of Europe [30]. If the French king had ſtipulated for the ſucceſſion of the ſon, and, more eſpecially, if the rejection of this article no longer required it to be locked up in ſecrecy, he would have had ſomething to plead with the friends of the father, to appeaſe their reſentment, and to vindicate the honour of his friendſhip. It might have been repreſented, fairly, in behalf of Lewis, that, when the circumſtances of his own ſubjects were taken into conſideration, diſcouraged, drained of money, depopulated by war and famine, the compromiſe he obtained for the family of James was a ſufficient apology for a temporary, external dereliction of his intereſt.

But, ſuppoſing that James neither choſe to admit nor to furniſh others with any apology for the conduct of Lewis, by accepting his offer to ſecure the reverſionary ſucceſſion of the crown of England to his family, while his own perſonal title was formally diſclaimed and abandoned; yet, what reaſon could he have for making a ſecret of a tranſaction, the diſcovery of which muſt have ſo highly redounded to his private advantage, both as it eſtabliſhed the refined integrity of

[30] Tindal, vol. iii.

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his character, and might have effectually administered to the conſolation of his friends, and the future ſupport of his intereſt, ready to expire by their deſpondency, in conſequence of the peace? James, according to the account extracted from his Life, rejected the propoſal of Lewis; becauſe it was fraught with injuſtice, and muſt have loaded his ſon with guilt. His friends, who boaſted of his moderation and diſintereſtedneſs, in declining to accept the crown of Poland [51], muſt have liſtened, with applauſe and delight, to a more ſtriking example of the ſcrupulous rigour of his juſtice, and the power of his faith, by ſpurning at indirect means to eſtabliſh a righteous cauſe, while he relied entirely upon the juſtice of Providence, for the reſtoration of the dignity and rights of his family.

In a political view, the communication of this important ſecret muſt have been ſalutary to the intereſts of James. How much would it have contributed to raiſe the drooping hopes of his friends, and to keep alive among them the ſpirit of union and enterpriſe, to have been informed, that the reſtoration of the royal family was propoſed by Lewis, and that every obſtacle to that deſirable event would be removed by the death of William? The accompliſhment of their fondeſt wiſhes was only for a ſhort time to be delayed. The knowledge of ſuch an important ſecret might eaſily have been improved into an anticipation of

[51] After the death of Sobeiſki, 1696, James was propoſed, by ſome of the electors, to be his ſucceſſor to the crown of Poland. Lewis made intimation of this to James, and probably wiſhed him ſucceſs, as it would relieve himſelf from his engagements to reſtore him to the throne of England. James refuſed the offer, becauſe he thought it would imply a renunciation of his right to the crown of England. Life of James, 1696.

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the object, which was yet distant and uncertain. If it had once transpired, that William had consented to the restoration of the exiled family, the disappointment and resentment of one party, no less than the hopes and affections of another, must have proved fatal to his dignity and life. All parties would have contended, with assiduity and zeal, to make their court, by whatever means were most acceptable, to the house, to which the royal power was to return and be attached. CHAP. XVII. 1697.

If no other purpose but the gratification of malice could have been obtained by it, yet that would have been sufficient inducement for proclaiming to the world a fact, so destructive of the reputation of William. He would have been held forth as the basest impostor, that ever made any pretensions to principles and patriotism. Considering the hazards to which such a compact must have exposed his dignity, his reputation, his life; he must have appeared, not only devoid of principle, but what his enemies never alleged, unacquainted with human nature, and utterly destitute of the first principles of prudence and policy. Would he have consented to a measure that put him so much in the power of his enemies? He well knew, that any concessions made by France, for his dignity and peace, were merely complimental, and constrained by necessity; and that no obligation to honour or secrecy would have restrained Lewis from employing so fit an instrument to gratify his resentment, against a person, who seemed to be raised by Heaven to be a check and scourge to his ambition.

The silence of later authors, no less than the sentiments and behaviour of contemporary historians, heighten the incredibility of William's having been accessory, or consenting, to any

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proposal for restoring the exiled family. The malice of his enemies did not cease upon the expiration of his life and power. The rancour of a party, irritated by the success of his enterprise, and by their own disappointment in repeated attempts to overturn his power, was transmitted, with unabated vehemence, to the representatives of their families, and the successors of their principles; and the conduct of William has been sifted with all that severity of criticism, and attacked with all that asperity of invective, which are usually levelled against personal enemies, and the living authors of recent injuries. Is it not amazing, that a transaction, so decisively fatal to his reputation, should never have reached the ear open to the whispers of scandal, nor met the eye intent on the page of defamation? Among the multitude of severe inquisitorial searchers, who have ransacked every sequestered repository of information, nothing but the most profound silence remains, with respect to the fact now in question, Which then, let the judicious reasoner pronounce, which of the alternatives is best entitled to belief; that a fact so extraordinary and interesting should have escaped the observation and research of the curious, inquisitive, and malicious reader; or, that it should have been forged and interpolated at a later period, by enemies to the person and politics of William?

Origin of this aspersion upon the memory of William.

Nor, upon the supposition that this calumny, so injurious to the character of William, had spread immediately after the date of the transaction with which it was connected, would it require any stretch of ingenuity to account for its origin and currency, without admitting it to have existed in fact. The plan of restoring the sceptre to the family of James must, unavoidably,

The succession of the son of James desired by Lewis.

ably, have entered into the mind of Lewis, when he found it neceſſary to depart from his promiſe to the father, and formed the reſolution of acknowledging the title of William. Aſhamed of having deſerted his friend, but unable to adhere to his firſt engagements, he might, for the purpoſe of giving conſolation to James, as well as for his own vindication, ſuggeſt the proſpect of the ſon's elevation. He might undertake to lend his hand to accompliſh it. Nay, he might probably proceed farther, and propoſe this compromiſe, at the congreſs of Ryſwick, by way of peace-offering to James, indignant and humbled becauſe his dethronement and exile were to be ratified in the terms of the peace. It was of little importance to Lewis, whether it was agreed to or not. His intention was anſwered; his breach of friendſhip, in ſome degree, expiated, if he had it in his power to ſay that he had made ſuch a propoſal. Indeed, from the influence of contingent circumſtances in England, it was, at leaſt, not an improbable event, that, without the mediation of Lewis, the ſon of James might ſucceed to the throne of his anceſtors; but the conſent of William, upon all rational grounds of political calculation, would have tended to obſtruct, rather than to promote, that event. The ambition of the princeſs Anne, which often ſuppreſſed the returning emotions and ſtruggles of natural affection, would inſtantly have taken alarm: the ſtrenuous exertion of her friends would have been employed, every intereſt improved, and every party invited, to fortify the act of ſettlement. Nor is it in the leaſt degree probable, conſidering the antipathy of the Engliſh nation to France, that they would have conſented to receive a prince, upon the ſtipulation of the French king with William, in

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in direct contradiction to the avowed principles of the latter, and to the act of settlement promoted by his influence. The consent of Lewis to acknowledge the son of James, as king of Britain, four years afterwards, upon the demise of his father, roused the indignation of the people in England; and constrained a tory ministry, in opposition to their political predilections, to enter into the second grand alliance.

Conjecture founded upon the authority of the duke of Berwick.

The testimony of a respectable contemporary author adds great weight to these conjectures, concerning the origin of the story, relative to the succession of the son of the abdicated king. In the Memoirs of the Duke of Berwick, we meet with the following remarkable passage, directly applicable to the fact under controversy: "A "little while after the peace of Ryswick, his "most christian majesty had proposed to the king "of England, that, if he would suffer the prince "of Orange to enjoy the kingdom in quiet, he "would ensure the possession of it, after his "death, to the prince of Wales. The queen, "who was present at the conversation, would "not allow her husband time to answer; and "declared that she would rather see her son "dead, than in possession of the crown to the "prejudice of his father; upon which his most "christian majesty changed the conversation. "It is probable, that what he had said, had "been previously concerted with the prince of "Orange; and it was, if I may venture to say "it, a great imprudence to refuse such an "offer [32]."

The attentive reader need not be directed to observe, that the account given by the duke of

[32] Memoirs of the Duke of Berwick, vol. i. p. 157.

Berwick,

Berwick, in theſe ſentences, concerning the propoſed ſucceſſion to the crown of England, differs, in very material circumſtances, from that which is publiſhed by Mr. Macpherſon, in the Continuation of the Life of James. The latter ſuppoſes this propoſal to have entered into the negociations for peace at Ryſwick. The former ſtates it to have been poſterior to that event. If it had been firſt ſtarted at the negociations for peace, it is not probable that the duke of Berwick could have been ignorant of it. A more ſtriking diſcrepancy ſtill occurs between the accounts of theſe two authors. The duke of Berwick aſcribes the refuſal of this offer made by Lewis, not to James himſelf, but to his queen. James aſſumes the ſole merit of the refuſal to himſelf. The duke of Berwick indeed adds: It is probable, "that what he ſaid had been previouſly concert-"ed with the prince of Orange [33]." But this is merely a matter of conjecture. If it had been known to him as a fact, he would have mentioned it as ſuch, and, probably, would not have miſſed ſo inviting an opportunity of blackening the character of a perſon, whom he conſidered as the uſurper of his father's throne. As the duke of Berwick was a man of veracity and honour, and as there is no reaſon for ſuſpecting the authenticity of his memoirs, it is probable that his ſtory is grounded upon fact; and it is juſt what might naturally have been expected, from the poſture of political circumſtances, and the temper and views of the French king, already deſcribed. Conſcious, of having ſo deeply wounded the feelings of James, to ſooth his anxiety and reſtore his hopes, Lewis had recourſe to this expedient; and, in order to give the colour of ſince-

[33] Memoirs of the Duke of Berwick, p. 158.

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rity to his friendſhip, he might boaſt of having mentioned the ſubject to William, and of having obtained his conſent. Let the impartial inquirer, after due attention to theſe arguments and obſervations, decide, Whether the authority of the duke of Berwick, thus fairly conſtrued, ought not, in the ſcale of evidence, to overbalance the tale of an anonymous author, contradicted by the face of external circumſtances, and by all the motives, which can be imagined to have operated upon the parties concerned in this tranſaction?

So much in ſupport of the negative concluſion, that the conferences between the earl of Portland and the marſhal Boufflers did not relate to the ſucceſſion of the prince of Wales; and the arguments for this concluſion would have maintained their force unbroken and entire, upon the ſuppoſition, that the ſubject of theſe conferences had remained under the ſhades of impenetrable darkneſs. But if we attain poſitive evidence to aſcertain the ſubjects of them, and if they were of a nature ſo delicate and intereſting, as to juſtify the anxiety and privity with which they were conducted, we are warranted, with greater aſſurance, to contradict the ſuſpicions and reproaches which they have excited, to the diſadvantage of a character, ſo eminently entitled to the reſpect and gratitude of every Britiſh ſubject.

The ſubject of the conferences between Portland and Boufflers.

Biſhop Burnet informs us, that the ſubject of theſe conferences was concerning king James and his queen; and this information he gives, not upon private opinion or conjecture, but upon the authority of the earl of Portland, who managed them upon the part of the king of England. "That lord told me himſelf, that the ſubject of "theſe conferences was concerning king James. "The king deſired to know how the king of "France intended to diſpoſe of him, and how he "could

Information of Burnet.

" could own him, and yet ſupport the other. " The king of France would not renounce the " protecting him by any article of treaty; but it " was agreed between them, that the king of " France ſhould give him no aſſiſtance, nor give " the king any diſturbance upon his account; " and that he ſhould retire from the court of " France, either to Avignon or to Italy. On " the other hand, his queen ſhould have fifty " thouſand pounds a year, which was her jointure " ſettled after his death; and that it ſhould now " be paid her, he being reckoned as dead to the " nation; and in this the king very readily ac- " quieſced. Theſe meetings made the treaty go " on with greater diſpatch, this tender point " being once ſettled [34]."

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His character as an hiſtorian.

Whatever exceptions may be made to the teſtimony of Burnet in particular inſtances, yet few perſons of candour, who have taken pains to inveſtigate his character, will be inclined to deny, that he revered the authority of conſcience; and therefore, ſincerely declared what he himſelf, often with much prejudice, believed to be the truth. From the celerity with which he wrote, he is inaccurate as to dates, and often confuſed, from his lumping analogous events and meaſures, which were ſeparated by a long interval of time. Natural keenneſs of temper, ſharpened by the zeal of a partiſan, rendered him credulous of whatever information redounded to the honour of his own party, or to the diſcredit and reproach of his political antagoniſts. A reſtleſs curioſity made him buſy in prying into recluſe ſcenes, and picking up malignant and frivolous anecdotes, degrading to the dignity of hiſtory. An uncommon ſhare of vanity rendered him eager to em-

[34] Burnet, 1697.

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brace every opportunity of advancing his own conſequence, by communicating to the world rare and curious intelligence, and to make the moſt of what he had gathered from channels of information, to which few had acceſs. From theſe infirmities, he was liable to believe precipitately, and to judge uncharitably. He may be ſometimes blind to the hypocriſy of his friends, and ſometimes indulge in the tone of encomiaſtic declamation; and more frequently he may degenerate into the mean ſcurrility and virulence of libel. With ſuch impreſſions of his character, impartial inquirers after truth will be ſcrupulouſly cautious in attending to the evidence of the facts he brings forward; and they will often find reaſon to withhold their aſſent from the concluſions he draws from them, and from the opinions he delivers upon his own judgment, eſpecially with reſpect to ſubjects relating to the character and the meaſures of parties. But, after all theſe deductions, no inconſiderable degree of reſpect will be found, upon reaſonable grounds, due to the information of Burnet. Of his ſincerity, or intended veracity, we have no reaſon to doubt. If he mentions any fact, which he either ſaw or heard from others, we may believe that he either ſaw or heard it. The earl of Portland was the moſt competent perſon to inform him concerning the ſubject of the ſecret conferences carried on at Hall, between Boufflers and himſelf. That nobleman, who could have no motive to deceive Burnet, told him, that theſe conferences related to king James and the jointure of his queen.

Account given by the marquis de

But the evidence of the ſubject of theſe conferences does not reſt upon the teſtimony of Burnet, or upon information flowing only from one of the parties concerned. The marquis de Torcy

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Torcy concerning the conferences between Portland and Boufflers.

Torcy mentions these conferences, in order to confute a vulgar opinion, that the regulation of the Spanish succession made any part of the subject of them; and he affirms, that they related to three other articles: his account of the first of which precisely coincides with the information which Burnet received from the earl of Portland. "By the first," "says he, "William insisted "that his enemies should receive no assistance "from France. In particular, he mentioned "his father-in-law, king James. For the farther "security of his master, lord Portland demand-"ed, that this unfortunate prince should be "obliged to remove from France, and to follow "his unpropitious star to Rome, or whatever "other part of the world he chose [35]."

Inferences from the memorials and instructions sent to the plenipotentiaries at Ryswick.

The authority of Burnet, with respect to another subject of these secret conferences, namely,

[35] The other two articles, which De Torcy represents to have been insisted upon by Boufflers, were, that a general act of grace should be granted to the English who had followed the fortunes of king James, and that they should be restored to the possession of their estates. And that none of the subjects of the French king should be allowed to enter, or to settle in, the city of Orange; because his majesty foresaw that the new converts, still attached to their former errors, would flock from the provinces bordering upon Orange, and, if leave was given them, would settle there. Torcy, vol. i. p. 25.

Though Burnet does not refer to these articles mentioned by De Torcy; and, on the other hand, though De Torcy does not refer to the queen's jointure, as making any part of the conferences, yet it does not follow that they were not actually mentioned and treated of. The earl of Portland probably communicated to Burnet, and Burnet to the public, what related to the interest of England. Torcy, who had his information from Boufflers, mentioned only what more immediately related to France. While therefore these authors mutually corroborate one another in what relates to James, so their silence or ignorance does not impeach the truth of the other articles mentioned, severally, by each of them.

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what related to the queen's jointure, is alſo corroborated by the tenour of different memorials and inſtructions, given to the plenipotentiaries, when treating about the peace of Ryſwick. From the peruſal of theſe, it appears, that the jointure of king James's queen was particularly recommended to the attention of the agents of France; but ſtill, that there were circumſtances of difficulty, which retarded the progreſs of that part of the buſineſs; and which required a more minute and private diſcuſſion, than what could be accompliſhed in public conferences, and in the preſence of the ambaſſadors, met to negotiate for peace. Obvious circumſtances, relative to the ſituation of James, as well as the expreſſions and hints contained in theſe memorials, enable us to form ſtrong conjectures, concerning the cauſes of ſeparating the affair of the queen's jointure from the other articles, ſpecified at the general meeting of the ambaſſadors, and publiſhed to the world. Whatever the former imprudence of James may have been, yet his ſituation, at the commencement of the negotiations for peace, was ſo humiliating and diſtreſsful, as to engage the compaſſion of all parties concerned in it. In the ſtrain and expreſſion of his letters and inſtructions to his friends, we ſee a mind agitated and diſtracted by the different emotions of pride, reſentment, and intereſt. Mortified and angry, becauſe his commiſſioners were excluded from all acceſſion to the peace, and that the reſtoration of his dignity was not made a principal and indiſpenſable condition of reconciliation between England and France, he could almoſt have found in his heart to have ſpurned at the offer of the French king's mediation, to promote what were, comparatively, mean and inferior concerns

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to himſelf and his family. The neceſſity of his circumſtances, or rather a ſtrong attachment to money, and the habit of improving every ſource of emolument, controlled the haſty reſolutions of paſſion, and made him anxious to ſecure the regular payment of the queen's jointure, upon ſuch a plan as might reconcile his honour and intereſt, by ſparing him the mortification of acknowledging the lawfulneſs of the power which conferred it. If the queen was required to grant diſcharges for her jointure, they muſt be drawn up in ſuch a form, as to amount to an acknowledgment of an uſurped government. If truſtees, veſted by the queen with the poſſeſſion of her eſtates, ſhould decline or delay to transfer her property, ſhe could not reſort to the courts of law, which implied the ſame abhorred conceſſion. There ſeemed no other expedient, but that the honour of the preſent king of England ſhould be pledged. A matter of ſuch nice and delicate conſequence, evidently, required the moſt private diſcuſſion, and the management of prudent and confidential agents. As theſe conſiderations ſufficiently eſtabliſh the propriety of referring this ſubject to a private and detached negotiation, ſo the previous memorials of James, compared with the letters of Middleton, de Torcy, and Lilliercote, the mediator of the peace, abundantly confirm that it was actually the caſe [36].

[36] The following extracts from the inſtructions and memorials referred to in the text are produced, in ſupport of the obſervations it contains. In the inſtructions to Mr. Dem, the agent of James at the Hague, during the negociations for peace, 18th July 1697, are the following words: "The "affairs of which you are to treat with monſieur de Croiſſy, or "the other plenipotentiaries of France, are, 1ſt, Her majeſty's "appanage; for the doing of which, you are referred to the "paper

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"paper concerning it, &c. In case the prince of Orange's "agents should deny or question any matters of fact, as they "are set down in that paper, which so plainly prove the queen's "right, even according to their own present law, you must "aver, that both your patent, under the broad seal, and the "act of parliament, which settle and confirm that estate upon "the queen, during her life, are upon record in the registers "of the crown office of the parliament, to which we appeal; "and that the queens of England, independently of the king, "have a right to their estates so settled upon them, the plenipo- "tentiaries of the prince of Orange themselves, cannot be so "ignorant or so wilful, as to deny." Macpherson's State Papers, 1697.

The earl of Middleton, James's secretary, in a letter to De Torcy, 5th October 1697, expresses the embarrassment that rose upon the affair of the queen's jointure, either from the discharges being drawn up in such a form, "as she could not sign them, "or, in the alternative of putting persons in possession of her "estate, and tenants refusing to pay, the impossibility of her "having recourse to courts of law whose authority she could "not acknowledge." After which Middleton adds, "So that "there is no expedient, but that the prince of Orange should "oblige himself, by a secret article, to pay the sum mentioned "to his most Christian majesty, and his successors, during the "life of the queen. If the prince of Orange acts sincerely, "he will accept this proposal; if it is rejected, the affair, in "all likelihood, will be of no consequence; and yet there is no "doubt but his most Christian majesty is very careful to put on "a solid foundation a thing so honourable to himself, and ne- "cessary to the queen of England." Ibidem.

A memorial and letter, October 7th, sent by Lewis to his plenipotentiaries at the Hague, refer to the same subject; and in the letter he mentions the difficulties the queen of England had reason to expect, if she should be obliged to receive, in her own name, the revenues she had a right to enjoy, in consequence of English acts of parliament. Ibidem.

The attention paid to this subject appears, from an extract of the Protocole, of the mediation held at Ryswick, 20th September 1697, published by the same author.

Monsieur Lillieroote, ambassador for the mediator, in a letter to monsieur de Harley, one of the French plenipotentiaries, dated 23d November 1697, refers to a private conversation he had with king William about the queen's jointure; and says, that he, king William, is willing to stand faithfully by what he has promised.

It is remarkable, that the Continuation of the Life of James, in the passage immediately following that which Mr Macpherson has cited, as the evidence of William's consent to the succession

ceſſion of the ſon of James, mentions the removal of James from France, and the ſettlement of the queen's jointure, as having been the ſubject of the ſecret conferences between Boufflers and Portland; and that it was underſtood by Portland, that the latter was ſuſpended upon the former. Life of James, 1697. CHAP. XVII. 1697.

Sir John Dalrymple ſays, that he has ſeen an original letter from lord Portland to king William, after the peace of Ryſwick, in which he informs him, that, according to his orders, he offered a penſion of 50,000l. per annum to king James. Dalrymple's Appendix, 245, 246. This probably refers to the queen's jointure, as it was more delicate to confer it in her name, and under the form of right.

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Obſervations with reſpect to the political Sentiments and Temper of the People in Scotland after the Revolution.—Seſſion of Parliament.—Adjournment.---Conſpiracy againſt Government.—A Meeting of Parliament.—The Lords of the Articles,—The King's Supremacy,—and the Law of Patronage aboliſhed.—Character of the Preſbyterian Clergy —Their Severity againſt the Epiſcopals,—hurtful to the Reputation of the King.—Change of Miniſtry.—Dangerous State of the Government in Scotland.—Maſſacre of Glenco.—Seſſion of Parliament.—Its Compliance with the Court ---Diſcontents in Scotland.---Another Seſſion of Parliament.--Act for extending the Trade of Scotland.--Hard Treatment --and Misfortunes of the Scotch Darien Company.—Miſery and Diſaffection of the Scots.—State of Ireland.—Articles of Limerick---cenſured by the Iriſh Proteſtants and Whigs.—Conſiderations tending to vindicate the Propriety and Juſtice of them.---Abuſes committed by his Majeſty's Servants in the Government of Ireland ---Peaceable State of Ireland.—No bold Efforts made by the Iriſh to aſſert their Independence.---Reaſons for this.

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I HAVE, in a preceding chapter, mentioned various cauſes, which rendered the political ſtate of Scotland more fluctuating and irregular than that of England; and from which it might naturally have been inferred, that the revolution there would not remain ſo firm and ſecure as it did in the latter kingdom. While the revolution

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in England derived ſupport from the common intereſts and obligations of all the parties which had co-operated in accompliſhing it; in Scotland it was chiefly, if not ſolely, the work of the preſbyterians, who were more anxious to eſtabliſh their own power and religion, than to extend and confirm the liberties of the nation.

temper of of the people in Scotland after the revolution.

A change of government, openly withſtood by ſome, and ſecretly condemned by others, was likely to be ſupported with vigour and perſeverance, by the party which effected it, only ſo long and ſo far as its views of a ſeparate intereſt were gratified.

The people in Scotland having been only acceſſories to the revolution, which was planned and completed by the Engliſh, were not bound, by the ſame ties of honour and fidelity, to defend and maintain it. They neither had an equal claim to merit, nor were they expoſed to the ſame degree of cenſure, with the neighbouring kingdom, in whatever light it might be afterwards conſidered, according to the ſucceſs of William, or of James. Many perſons of rank and fortune in England, who had been the firſt movers in the oppoſition to James, were ſo deeply criminal in his ſight, that their perſonal ſafety was involved with that of the new government. Should it fall, they muſt unavoidably be cruſhed under its ruins. There can be no doubt that this conſideration prevailed with individuals of great influence, to concur heartily in ſuch meaſures as were neceſſary to prevent the return of the baniſhed king, though they were often fretted by diſappointment, and offended at the conduct of William. The revolutioniſts in Scotland might plead, in extenuation of their revolt, ſhould James reſume the crown, that they were not the authors, but the followers of a bad example;

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and that fear and neceſſity had compelled them, contrary to their rooted inclinations, to depart from their allegiance and duty. The applications of the late king to his ſubjects in Scotland, were adapted to this ſtrain of argument. They were reminded of his ancient, hereditary claim to the loyalty and affection of the Scottiſh nation. Great pains were taken to awaken the reſentment of individuals, on account of the ill returns they had met with, for their raſh ſervices to the prince of Orange; and to ſooth them into repentance, by the hope of pardon and reward.

There were many Scotchmen, who had contracted a warm affection to the prince for his virtues, and the protection which he had vouchſafed to them, when they were driven into exile by the perſecution of government. His confidence in them, and the preference with which he diſtinguiſhed them, in the diſtribution of offices, tended to weaken the attachment of ſome great men, who claimed the merit of raiſing him to the throne, by their influence and votes in the convention; and rendered them eaſily ſuſceptible of that diſaffection, which was artfully infuſed into their minds by the adherents of James [1]. In this number were the deſcendants of noble and wealthy proprietors, whoſe eſtates had been forfeited in times of violence, and transferred, by the gift of the crown, to the repreſentatives of other diſtinguiſhed families, who

[1] Thoſe, who had appeared at an early period for William, who had been chiefly inſtrumental in raiſing the rabble at Edinburgh, and who had ſhewn their zeal for him in the convention, thought they had better pretenſions than thoſe who came over with him; the latter having only acted from neceſſity; being for the moſt part forfeited perſons. Balcarras' Account of the Affairs of Scotland.

had

had ſupported its intereſt. In ſome inſtances, ſuch degradation of fortune and honour might be imputed to the imprudence, or the crimes, of the ſufferers themſelves; and, in others, it had proceeded from the reſentment of former princes againſt individuals, who had bravely and honourably reſiſted their uſurpations. The reſtoration of theſe eſtates was expected by the deſcendants of the ancient proprietors, and dreaded by the preſent poſſeſſors. To determine, in what caſes, theſe forfeitures were legal or not, and where the line of diſtinction ought to be drawn, ſo as neither, upon the one hand, to ratify oppreſſion, nor, upon the other, to eſtabliſh a precedent for ſlighting the authority of law, were matters of delicate diſcuſſion; and required the moſt cautious deliberation in the new government. But this very deliberation, however neceſſary and prudent, was held forth as a ground of offence; and evidently diſcouraged the ardour and perſeverance of the king's firſt friends [2].

Some of the conditions, upon which William had received the crown of Scotland, were attended with difficulties which he did not foreſee; and the commendable anxiety which he diſcovered, as well as the prudent meaſures, which he purſued to overcome them, were diſpleaſing to many who had attached themſelves to his intereſt [3]. The great ſervice the Engliſh biſhops had performed, by preparing the nation for his interference, raiſed expectations, impoſſible for him to gratify, without departing from thoſe principles of toleration, which did honour both to his under-

[2] Balcarras' Account of the Affairs of Scotland.

[3] Macpherſon's State Papers, 1690.

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ſtanding and his heart. They conſidered him as bound by gratitude to protect the church of England, not only by excluding the Roman catholics, but by depreſſing the proteſtant diſſenters. His engagements to aboliſh prelacy in Scotland overturned theſe expectations, and were conſidered as irreconcilable to the very end of his expedition to England. From a ſtrain of reaſoning the moſt illiberal, though ſpecious, it was inferred, that no faith could be placed in the man, who had entered into contrary obligations, of ſupporting certain forms of religion in one part of the iſland, and of aboliſhing them in another. Aware of theſe cenſures, William expreſſed great ſolicitude for eſtabliſhing uniformity of religious worſhip and government, in both kingdoms [4]. Independently of reſpect for the prejudices of ſo powerful a body as the Engliſh hierarchy, he perceived unſurmountable objections to the demands of the Scotch preſbyterians. With the eſtabliſhment of their religion they had connected the idea of ſuch extenſive and independent juriſdiction, as encroached deeply upon the prerogatives of the monarchy. Their clergy, narrow and intolerant, were contriving the ſevereſt meaſures againſt their brethren of the epiſcopal order; and were impatient to execute them under the ſanction of lawful authority. Firm and true to his principles, William was content to forego their good opinion and confidence, rather than to approach to the borders of perſecution. At the ſame time it may be obſerved, that the clauſe contained in the claim of rights, relative to religion, and accepted by the king as the condition of his reigning in Scotland, was ſo ambiguouſly expreſſed, as to vindicate him from any charge of inconſiſtency or duplicity; becauſe he deliberated

[4] Neil's Hiſt. of the Puritans, vol. ii. p. 806.

about

about yielding to thoſe demands which the preſbyterians grounded upon it. Admitting that prelacy, as formerly eſtabliſhed, had been a grievance, did it follow that the ſupremacy of the prince was to be abrogated, or his influence excluded, in any future modification of eccleſiaſtical government? Did it oblige him to deprive all the epiſcopal clergy, without exception, of the emoluments, which they had enjoyed under a legal eſtabliſhment? The backwardneſs of William in complying with the wiſhes of the preſbyterians, from whatever motives it proceeded, occaſioned a coldneſs in their affections towards him; and ſuggeſted, to the abdicated king, the policy of throwing out baits, for alluring the aid of thoſe very men, who had been chiefly inſtrumental in degrading him. Correſponding with theſe obſervations are the political events, which immediately followed the new ſettlement of the government in Scotland; nor was the authority of William more endangered by the open revolt of Dundee, and his adherents, than it was by the emulation, the treachery, and the mutinous ſpirit, of ſome of thoſe, who were numbered among his friends. CHAP. XVIII. 1689.

The duke of Hamilton, though preferred to the high office of being the king's commiſſioner, was ſtill diſſatisfied, becauſe a greater ſhare of ſubordinate places was not diſpoſed of among his partiſans, and according to his recommendation. Some, who had taken the moſt active part in the firſt ſteps of the revolution, became peeviſh and intractable; while others harboured machinations for overturning it. The ſuperior confidence, which William placed in Dalrymple of Stair, proved offenſive to many of the whigs; and was ſuppoſed to betray him into unpopular notions of govern- Seſſion of parliament.

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government [5]. Hence, in the firſt ſeſſion of the Scotiſh parliament after the revolution, the friends of the court were over-ruled; and a ſeries of meaſures purſued vexatious and alarming to the king. Together with a liſt of grievances, which he was willing and prepared to redreſs, the parliament petitioned for the abolition of forms, and the repeal of ſtatutes, which had been conſidered as the ſtrongeſt fences of the monarchy.

The influence of the court, in the deciſion of all political queſtions, had advanced to ſuch an enormous pitch, through the channel of the lords of the articles, as was incompatible with the ancient independence of the parliament. The king would cheerfully have agreed to an abridgment of the power of this committee, ſo far as to remove every complaint of its reſtraining the members at large, either with reſpect to the choice of buſineſs, or the freedom of debate; but, as the abolition of it had not been inſerted in the enumeration of grievances, he heſitated about parting, altogether, with ſuch a powerful inſtrument of authority [6].

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5 Ralph, vol. ii. p. 105.

6 "The lords of the articles were a committee of each eſtate "choſen by themſelves, to prepare matters, and to determine "upon the articles propoſed by the king; but the eſtates were at "liberty to recede from thoſe propoſals and their determination "upon them, as they themſelves thought fit; which fully proves "that the eſtates had a negative upon the king. Thus, in the "preface to the acts of James the Firſt, it is ſaid, Electæ fuerunt certæ perſonæ ad articulos datos per dominum regem determinandos, *data cæteris licentia recedendi*. Members of parliament had power to propoſe what was thought meet and neceſſary for the commonwealth. Acts James I., chap. cxii. in the old acts; cii. in the new.

"The lords of the articles were never mentioned, till the "time of David Bruce; nor was there ever any ſtatute-law "enjoining them, or to determine their power and manner of "procedure.

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To his majeſty's conſent to the condemnation of prelacy, the preſbyterians thought themſelves warranted to annex the claim of a juriſdiction ſeparated from, and independent on, the civil government. A vote paſſed for abrogating the act, one thouſand ſix hundred and ſixty-nine, aſſerting his majeſty's ſupremacy in cauſes eccleſiaſtical, as dangerous to the proteſtant religion, and inconſiſtent with the eſtabliſhment of church government. A diſpute, more immediately affecting the internal order and peace of the kingdom, made a breach between the court and the parliament [7]. William, after his acceptance of the crown, had given commiſſions for filling up the vacancies among the lords of the ſeſſion, by virtue of his prerogative, and upon the ſuppoſition that a quorum of their number ſtill exiſted [8]. The

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[7] Ralph, vol. ii p. 103.

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The convention however inſiſted, that the court of ſeſſion was annihilated, and that the new judges ought to be tried, and admitted or rejected, by them; and they even announced threats againſt the judges; who had accepted the king's commiſſions, if they ſhould proceed to the diſcharge of their functions. As theſe demands exceeded the inſtructions, which the commiſſioner had received from the king, he adjourned this ſeſſion to the eighth of October [9].

Adjournment.

The diſcontinuance of parliament exaſperated the minds of every order of men. A remonſtrance, ſubſcribed by a majority of the convention, was preſented to the king, containing a repetition of the grievances, which had been brought forward by the parliament, and complaining of the evil counſellors who directed his meaſures [10]. The king's withholding his aſſent to their petition was repreſented as a breach of the contract, be-

crown; but contended, that, upon the event of a total vacancy, or the diſſolution of the court, the renewal of it belonged entirely to the States, agreeably to its original inſtitution, and to former precedents, in the year 1641 and 1660.

That there was now a total vacancy or diſſolution of the court of ſeſſion, the convention ſupported, principally, by this argument; that, as the crown had been found vacant, all commiſſions flowing from it, by fair deduction, were nullified.

It was evident, that this argument, if followed out, would have deprived the king of his moſt valuable prerogatives. The new and extraordinary circumſtances, which happened at the revolution, might well juſtify a deviation from rules, properly and eaſily obſerved in times of peace and order. The king's right to name the judges in England was not queſtioned; and the diſcretion, with which he had exerciſed it, gained him merited applauſe. Not only his honour, but his future intereſt and ſafety, depended upon his making a like choice in Scotland.

[9] Ralph, vol. ii. p. 105.

[10] Ibid.

tween

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tween him and the States, which founded his right to the crown of Scotland.

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A correſpondence was opened between the late king and ſome of thoſe perſons, who had complained of the oppreſſion of his government, and promoted the revolution with the greateſt zeal [11]. The conditions of his reſtoration were ſpecified, and the meaſures, by which it was to be effected, were concerted and agreed upon. He engaged, to eſtabliſh the preſbyterian form of government, to pardon paſt offences, and even promiſed to confer honours upon individuals who had taken part againſt him. A coalition of parties was to be formed in defiance of the laws of honour and religion. That the apoſtates from the preſent government, and the friends of James, might cooperate, the latter were to depart from their religious ſcruples, by taking the oaths to king William, and endeavouring to ſecure ſeats in parliament [12]. After being made acquainted with the conditions of this conſpiracy, we are the leſs ſurpriſed, when we find that it was promoted by ſir James Montgomery, formerly diſtinguiſhed by his zeal for the revolution. He was diſappointed of the office of ſecretary of ſtate, and offended at the king for his reluctance to eſtabliſh preſbytery, which was the idol of his own heart [13].

Conſpiracy againſt government.

The great diſcontent of the people of Scotland, and the neceſſity of obtaining a ſupply for the army, conſtrained the king, notwithſtanding theſe ominous circumſtances, to allow the parliament, after ſeveral adjournments, to meet for the diſpatch of buſineſs. Every thing at the opening

A meeting of parliament

15th April.

[11] Memorial concerning Scotland, 18th April 1690. Macpherſon's State Papers.

[12] Ibid.

[13] Burnet, 1689.

of

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of this ſeſſion appeared unfavourable to the court. The duke of Hamilton declined the honour of repreſenting his majeſty's perſon. Many of the nobility and gentry, ſuſpected of diſaffection, took their ſeats in parliament. It was evident, that the utmoſt latitude of conceſſion was neceſſary to enſure the peace and ſtability of government. The lords of the articles were aboliſhed. A compliance with the deſire of the nation, more diſtreſsful to the king, was extorted: preſbytery was eſtabliſhed in all the plenitude of its claims: the king's ſupremacy was given up; and the law of patronage was repealed [14]. The laſt of theſe conceſſions gained the people entirely to the ſide of government, and the majority of parliament voted in conformity to the wiſhes of the court. This ſudden change in the temper of the nation, and the defeat and death of Dundee, eſtabliſhed the revolution in Scotland, and gave the utmoſt alarm to all who had entered into conſpiracies againſt it. Many perſons, who had fallen under ſuſpicion, ſought to make their peace by frankneſs in diſcovering their plans and accomplices.

The lords of the articles, the king's ſupremacy, the law of patronage aboliſhed.

But, notwithſtanding theſe immediate conſequences of lord Melvill's conceſſions, they were productive, in a ſhort time, of other effects, which gave great uneaſineſs to William, and diſturbed the tranquillity of his government in both kingdoms. The general temper of the preſbyterians, as well as the education and character of their clergy, ariſing from the peculiar circumſtances of the times, rendered them incapable of uſing, with diſcretion and generoſity, the ſuperiority in which they were now placed. The extreme ſeverities, they had ſuffered under the dominion of the

Character of the preſbyterian clergy.

[14] See Appendix I. at the end of this Chapter.

hierarchy,

hierarchy, were freſh upon their minds, and too much diſpoſed them to retaliation; not only from the mean gratification of reſentment, but from a perſuaſion, that their own pre-eminence and ſafety were precarious, while any meaſure of indulgence was exerciſed towards their antagoniſts. The generality of their clergy were not poſſeſſed of ſentiments more refined and enlarged than thoſe of their people. Excluded, after the reſtoration, from enjoying the legal proviſion of the church, they ſubſiſted entirely by the voluntary contributions of their congregations. Their tempers were ſoured by dependence, and exaſperated by perſecution. Their acquaintance with human nature was contracted; their ſentiments and demeanour were accommodated to the taſte and prejudices of the lower ranks, with whom they were chiefly converſant. Their ingenuity and their ſtudies were principally directed to the defence of thoſe tenets, which diſtinguiſhed their ſect. Hence controverſies were too much ſubſtituted in the room of the ſimple and inſtructive doctrines of the goſpel. The divine authority of preſbytery, the hereſies of epiſcopacy deſcribed as little removed from the ſuperſtition and idolatry of Rome, were the common topics of their public diſcourſes, upon which themſelves and their hearers were often wrought up to a ſpirit of violence, hardly conſiſtent with reſpect to the civil government[15].

[15] It is aſſerted, that ſeveral of the Cameronians, or Cargillites, entered into the Church after the revolution. Their diſtinguiſhed tenet was, that Charles the ſecond had forfeited his right to the crown by his renunciation of the covenant; and their arguments upon this ſubject were ſo far ſtretched as to imply, that ſwearing, or taking the covenant, was neceſſary to confer a right to the crown. Some of the Cameronian leaders and preachers had early maintained a correſpondence with William, and were now diſpoſed to officiate in the eſtabliſhment under his auſpices. Their ſufferings entitled them to reſpect and gratitude.

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By the early regulations of the preſbyterian church in Scotland, a certain proficiency in literature and knowledge was required as an indiſpenſable qualification for the miniſterial office [16]. Unfortunately, however, the many vacancies, occaſioned by the ſudden expulſion of the epiſcopal clergy, required a periodical relaxation of that ſtrict attention to literary acquiſitions, which are, at all times, eſſential to the dignity of the clerical character, and the credit of religion. Of the old preſbyterian miniſters, who had been deprived of their livings at the reſtoration, threeſcore only remained to reſume their charges; and ſome of them were diſabled, by the infirmities of age, from attending the church judicatories at a period, which required all the wiſdom and coolneſs of experience and of years. Young men, diſtinguiſhed by zeal more than by abilities and knowledge, preſſed forward into the paſtoral office; and not only over-ruled the opinions of their prudent and moderate brethren, but became the tools of faction, and kept the minds of their people in a continual ſtate of jealouſy and ferment [17].

Their ſeverity againſt the adherents to epiſcopacy.

To retain entire and unretracted the privileges which they had obtained, and to ſhut the door for ever againſt the adherents to epiſcopacy, was the principal object, to which preſbyterians, veſted either with temporal or eccleſiaſtical authority, directed their attention immediately after the revolution. The moſt rigorous meaſures were purſued by the privy council againſt the epiſcopal clergy, who ſtill continued to officiate in their

[16] Book of Common Order, article iii. Firſt Book of Diſcipline, chap. iv.

[17] Ralph, vol. ii. Salmon's Modern Hiſtory, vol. xxiv. 1691-2. Burnet, 1689.

charges.

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charges. The people were encouraged by their miniſters to inform againſt thoſe, who had diſobeyed the orders of the convention by neglecting to read the proclamation, which declared the prince and princeſs of Orange king and queen; or by omitting to pray for them in the performance of public worſhip; or neglecting to obſerve the public faſts. Upon theſe informations, and charges of a more frivolous nature, many were deprived of their livings, and debarred from any future opportunity of conforming to the new eſtabliſhment [18].

Though the violence of theſe meaſures was repugnant to the principles and diſpoſitions of William, yet it was all laid to his account, and, by conveying an unfavourable impreſſion of his government in Scotland, contributed to thwart his liberal deſigns towards the diſſenters, which were at that time agitated in the Engliſh parliament [19]. How hard his ſituation! every favour to preſbyterians in Scotland, and to diſſenters in England, awakened the jealouſy of the Engliſh church; and every indulgence to the adherents to epiſcopacy in Scotland, that of the preſbyterians there; ſo that he loſt the affections of both eſtabliſhments. Attending to theſe facts, we are deeply impreſſed with a ſenſe of the inherent and unchangeable malignancy of bigotry, wherever it is found, and whatever the cauſe may be to which it is attached. It levels all diſtinction of principles and characters;

Hurtful to the reputation of the king.

[18] The Caſe of the afflicted Clergy. Ralph, vol. ii. p. 274, &c. Letter from a Clergyman. Salmon, vol xxiv. p 87.

[19] Burnet, 1689-90. Querela temporum, Somers' Col. vol. viii. There were even ſome, who profeſſed to be ſeriouſly alarmed leſt the preſbyterians, bent upon the extirpation of epiſcopacy, ſhould again intrude into England to reform it. Cunningham's Hiſtory, vol. i. p. 106.

it

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it is equally pernicious and deteſtable in the philoſopher and in the prieſt, in the proteſtant and in the papiſt, in the epiſcopalian and in the preſbyterian. It is the moſt peſtilential of all hereſies, becauſe it deſtroys that charity, which is the glorious characteriſtic of a chriſtian. When impelled by the ardent ſpirit of reformation, let us beware of bigotry, the bane and diſgrace of every virtue with which it is aſſociated.

Change of miniſtry.

The king endeavoured, by a change of his miniſters, to procure a more lenient treatment of the epiſcopal clergy. Lord Melvill, who had offended him by ſtretching his power to gratify the preſbyterian party, was removed from being ſecretary of ſtate [20]. The earl of Tweedale was made chancellor; the earl of Lothian commiſſioner to the general aſſembly. To this ſupreme judicatory of the preſbyterian church, the king recommended ſuch a temper and ſuch reſolutions, as might tend to unite the affections of his ſubjects; and, particularly for that purpoſe, to admit into parochial charges ſuch of the epiſcopal clergy as were willing to comply with its government [21]. The imprudence of the epiſcopalians themſelves, not leſs than the narrow ſpirit of the preſbyterians, fruſtrated every ſcheme for peace and accommodation, and diſappointed the fondeſt wiſhes of the prince. Elated by his interpoſition, the former

[20] Doctor M'Cormick ſays, "That, by an authentic paper "in the earl of Leven's poſſeſſion, it appears, that lord Melvill "was inſtructed to paſs an act, aboliſhing patronages, provided "the parliament deſired it." Life of Carſtares, p. 51. As Doctor M'Cormick acknowledges that this paper is of a date prior to the remarks ſent down by William upon the act for ſettling church government in Scotland, in which (article vi. ibid. p. 45.) he deſires, that the right of patronage may be maintained, it is obvious, that lord Melvill went beyond the king's deſire, or exceeded his power, as is obſerved by Burnet, 1690.

[21] Burnet, 1692.

boaſted

boasted of his secret favour, and of their approaching pre-eminence, while the latter, jealous of any motion or desire of kindness towards their antagonists, became more eager in the pursuit of measures calculated to confirm their depression, and to widen their separation from the establishment. The change, which the king had made in the ministry, now appeared to be an error in policy. The presbyterians might, perhaps, have been softened into compliance and lenity by the address of their own leaders, but, alarmed, upon any share of power being withdrawn from them, they were immoveable, either by the promises or threats of ministers, of whom they were suspicious. They contended, that the inherent prerogative of their constitution, ratified by the last session of parliament, could not be restrained by the civil authority. When the commissioner, agreeably to his instructions, dissolved the general assembly in his *majesty's name*, they adjourned themselves in *the name of Christ, as the king and head of the church* [22].

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Dangerous state of the government in Scotland.

The interest of William, at the period to which these observations refer, was in the most critical situation, and unfortunately led him to yield too implicitly to the advice of his Scotish ministers, and to adopt measures, which terminated in effects equally criminal and impolitic. The French king was engaged in the most diligent preparations for invading England, and restoring James to the

[22] It has been observed in a former note, that this independent jurisdiction, derived from the authority of Christ, was the favourite tenet of the presbyterians, and what they had obstinately contended for in the reign of James the first. The form of this independence is still retained, and, after his majesty's commissioner dissolves the assembly in his name, the moderator, or president, dissolves it in the *name of the Lord Jesus Christ, as the only king, and head of the church.*

possession

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1692. poſſeſſion of the crown. The headſtrong, peeviſh diſpoſition of the party intruſted with the management of affairs in Scotland, ever ready to withdraw their allegiance from William upon the ſlighteſt offence, not leſs than the number of thoſe, who waited an opportunity to make an inſurrection, were ſtrongly urgent with Lewis for ſending a detachment of his fleet to the northern coaſts, while James landed in England with a larger body of the French troops [23]. Whatever might be the ſucceſs of that expedition, yet the diſtance and natural fortifications of the mountainous parts of Scotland, as well as the bravery and diſaffection of the inhabitants, opened to James almoſt the certain proſpect, of recovering a part of his ancient dominions, and of laying the foundation of more extenſive ſucceſs. To prevent this danger, William cheerfully liſtened to a plan for conciliating the Highland clans to his government, by the diſtribution of money among their chiefs. This having failed of ſucceſs, it was next propoſed to work upon their fears, by holding out an example of terror, which was alſo authoriſed by the king, and carried into execution, with ſuch treacherous and atrocious circumſtances, as filled Scotland with horror, and gave a deep wound to his reputation, both at home and abroad.

Auguſt 1691. A proclamation was ſet forth, offering a free pardon to ſuch of the highlanders as had oppoſed his government, provided they came in and took the oaths, before the firſt of January one thouſand ſix hundred and ninety-two; but containing a poſitive threatening of military execution againſt thoſe who did not comply. The proclamation anſwered the deſired effect; all the Highland

[23] Ralph, vol. ii. p. 427.

chieftains

chieftains made their ſubmiſſion to government within the day preſcribed, except Macdonald of Glenco, who, by a train of fatal accidents, and, only by tthe moſt ſevere conſtruction, became chargeable with the guilt, and liable to the penalties, of a recuſant [24]. Though his delinquency, if deſerving of that name, was attended with every circumſtance of extenuation, yet it was reſented with ſeverity which exceeded the threats of the proclamation. A party of Argyle's regiment was ſent from Fort William into the valley of Glenco. The fearful apprehenſions, excited by the news of their approach, were removed by the moſt ſolemn aſſurances from the officers, that they came upon terms of peace; and to confirm theſe, they produced written orders, ſubſcribed by their commander, colonel Hill, to quarter in the valley. A more baſe, ungrateful ſpecies of treachery lulled the ſuſpicion, and fixed the fatal doom, of the men of Glenco. The officers accepted the proffered hoſpitality of their chief, daily frequented his table, and, with a gay and undeſigning coun-

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1689. Maſſacre at Glenco.

[24] Macdonald of Glenco, upon the 31ſt of December, which was the laſt day of mercy, according to the tenor of the king's proclamation, applied to the governor of fort William to adminiſter the oaths to him; but the governor declined doing it, and ſaid it was the buſineſs of the civil magiſtrate. Glenco haſtened to Inverary with as much expedition as the ſeverity of the ſeaſon would admit. The day of mercy had expired. A farther delay was occaſioned by the abſence of ſir Colin Campbell, the ſheriff, who, not without ſcruple and heſitation, yielded to the moſt pathetic and importunate ſolicitations, of Glenco, and adminiſtered the oath of allegiance to him, upon the 6th of January 1592. A certificate of his having done this, with an account of the circumſtances which had occaſioned the delay, was tranſmitted to Campbell the ſheriff-clerk of Argyleſhire, then reſiding at Edinburgh, in order to be laid before the privy council there.

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tenance, participated in the converſation and amuſements of his family. Upon the thirteenth of February one thouſand ſix hundred and ninety-two, the very day the officers had been invited to dine with Glenco, lieutenant Lindſay entered his houſe, in the morning before the dawn of light, fired upon him, and killed him as he was riſing out of his bed [25]. Above thirty men were put to the ſword, and in that number ſome who were under, and ſome who were above, the age preſcribed by the warrant. Bloody as this tragedy was, yet it fell ſhort of the barbarous intentions both of thoſe who ordered, and of thoſe who conducted it. On the day preceding the ſlaughter, colonel Hamilton was diſpatched, with a party of ſoldiers from Inverlochy, on purpoſe to block up the paſſages from the valley, that none might eſcape by flight [26]. The ſeverity of the weather retarded his march, and fortunately ſaved ſome hundreds deſtined to deſtruction. A ſcene of plunder followed the maſſacre: all the cattle were carried away to the quarters of the troops, and, as if it had been intended to devote the valley to perpetual deſolation, the houſes and villages were burnt by the ſoldiers [27].

The general odium againſt government, too juſtly excited by this maſſacre, added to the experience of the ill humour of the States, made the king deſirous to poſtpone, as long as poſſible, the meeting of another ſeſſion. The urgent occaſion for ſupplies, and for augmenting the army, conſtrained him at length to have recourſe to a meeting of parliament; when an event occurred,

[25] State Papers, T. W. vol. iii. p. 604.
[26] Major Duncan's Letter, ibid.
[27] See Appendix II. at the end of this Chapter.

which

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which encouraged him to expect a more ready compliance with his measures. By the victory at La Hogue, the malecontents in Scotland were over-awed, while such of them as were conscious of guilt were at the mercy of the court from the discoveries, which had been made by some of the persons, who were convicted of conspiring against the government. The prospect of commissions to their friends in the new levies, and the promise of profitable commercial advantages, were held forth, to engage the interest of persons of family on the side of the court. To gain popular favour, the presbyterians were again distinguished by his majesty's attention, and their friends were put into the principal offices of the state.

Session of parliament.

The duke of Hamilton represented his majesty in the third session of the convention parliament, which met on the eighteenth of April one thousand six hundred and ninety-three The king, in his letter to parliament, expressed a strong desire to have opened this session in person, but that he was disappointed by the continuance of the war, which required his presence on the continent. The commissioner and the chancellor, in their several speeches, directed the attention of the members to the great lines of business which his majesty wished them to pursue, and particularly the importance of putting the nation in a proper state of defence by additional forces, and by raising the supplies necessary for that end [18]. The wishes of the court seemed to have been fully gratified by the compliance of this session. Four regiments of foot, and two of dragoons, were added to the standing army, and a supply of one hundred and fourteen thousand pounds voted for

Its compliance with the court.

[18] Ralph, vol. ii. p. 426

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maintaining them. An act alſo paſſed approving of, and ratifying the meaſures, of the privy council, which had exceeded its lawful power by levying men for the navy during the receſs of parliament. For ſecuring the government, ſuch members, as had not taken the oath of fidelity, were expelled the houſe, and the trials of thoſe perſons, who had been apprehended upon ſuſpicion of conſpiracy, were ordered. An act alſo was paſſed, making it treaſon to go to France, or to hold correſpondence with any perſon reſiding there. The reſolutions of this ſeſſion with reſpect to the epiſcopal clergy, if they did not fully correſpond with the liberality of the king, ſeemed to have been formed upon the dictates of juſtice, and calculated to redreſs thoſe, who had been deprived of their livings by the violence of mobs, or by the precipitate reſolutions of the privy council. Such of them as took the oath, ſubſcribed the confeſſion of faith, and acknowledged preſbytery to be the only eccleſiaſtical government, were to be admitted into the church; and if the general aſſembly ſhould refuſe to agree to this, they were aſſured of being protected by the king, and continued in their livings [29].

Diſcontents in Scotland.

Neither the meaſures nor example of this ſeſſion of parliament produced any permanent effect in allaying the diſcontents of the people in Scotland, or fixing their attachment to government. Few of the expelled clergy complied with the conditions required for being admitted into the eſtabliſhed church. While the refuſal of the reſt gave a ſanction to the rigorous proceedings of the eccleſiaſtical courts, it expoſed the king the more to popular jealouſy and cenſure, for the protection and indul-

[29] Burnet, 1693.

gence,

gence, which he ſtill vouchſafed to thoſe who had forfeited all legal claim to his protection. Inſtead of admiring his liberality, the generality of the clergy and the people were angry and aſtoniſhed, becauſe he neglected ſo fair an opportunity of diſtreſſing perſons who were known to be diſaffected to his government. His conduct in this inſtance was laudable; but it was juſtly cenſurable in other views, and contributed to foment that ill humour which prevailed through the greateſt part of this reign. It was with reluctance that he gave his attention to the peculiar buſineſs of Scotland; his anſwer to petitions and applications of importance was unaccountably delayed; the great ſervices of this ſeſſion were not acknowledged with that forwardneſs and alacrity, which were expected by thoſe who had contributed to them. Their expectations were diſappointed, and their generoſity abuſed, while the levies, made for the declared purpoſe of augmenting the Scottiſh army, were ſent to recruit the regiments in Ireland and Germany. Theſe topics were but too ſucceſsfully employed to cheriſh the growing diſaffection of the people. The effects of a ſeditious ſpirit appeared in the corporations in every part of the country, and it was only by the illegal exertions of the privy council, that a majority in favour of government could be maintained in the town council of Edinburgh [30].

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In this ſituation of the kingdom, parliament was prorogued from time to time, till the expiration of the funds, and the death of the queen, rendered it dangerous to carry on public buſineſs without the acknowledgment and interpoſition of the States.

[30] Ralph, vol. ii. p. 579.

Another

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1695. Another ſeſſion.

Another ſeſſion of the Scottiſh parliament commenced upon the ninth of May one thouſand ſix hundred and ninety-five. The marquis of Tweedale was appointed his majeſty's commiſſioner, and ſtrongly recommended by him, on account of his capacity, zeal, experience, and fidelity. As the moſt ſucceſsful expedient for ſecuring the compliance of members, the chancellor ſignified his majeſty's inclination to approve of any reaſonable plan for extending the trade of Scotland, and eſtabliſhing a plantation in any part of the world where it might be lawfully acquired.

The frequent intercourſe, between the inhabitants of England and Scotland after the union of the two crowns, exhibited to the latter the moſt ſtriking evidence of the influence of trade in promoting national proſperity. But this diſcovery tended to excite envy and deſpair, rather than to encourage hope and induſtry, while want of capital, and limited channels of commerce, precluded them from the means of approaching to the independence and wealth of their fellow-ſubjects. A ſhare in colonial poſſeſſions, under the protection of government, was an object, to which every enterpriſing Scotchman looked forward with fond deſire, but with little hope of ſucceſs. A concurrence of incidents ſeemed at length to enſure the certainty of projects, which had been conſidered hitherto as ſpeculative and doubtful.

11th Nov. 1693. The renewal of the charter to the Eaſt India company was a grievous diſappointment to many of the Engliſh merchants, who had anticipated the moſt advantageous commerce, upon the idea of their being allowed a free trade to India, or of obtaining a charter for the erecting a new company. To them it was ſuggeſted, that their projects might ſtill be realiſed, and their higheſt expectations

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1695. Act for extending the trade of Scotland.

pectations gratified, through the circuitous channel of the neighbouring kingdom. It was at the ſame time repreſented to the king's miniſters in Scotland, as well as to many perſons of influence there, that, if a charter could be obtained for the protection and encouragement of a Scotch trading company, the ſkill and capital of many Engliſh merchants would readily be proffered, to aſſiſt their infant efforts, and to raiſe them to a ſtate of opulence, equal to that of their envied neighbours. The plan was laid before the king by Johnſtone, ſecretary of ſtate for Scotland, and was urged as an infallible meaſure for conciliating the loyalty and affections of the nation. Happy to provide a new fund of favours, in a part of his dominions where the demands made upon him were ſo many and importunate, and the means to gratify them ſo extremely limited, he now authoriſed his commiſſioner to make propoſals for extending their commerce. A committee of trade was accordingly appointed by parliament, which prepared an act to conſtitute a company, with certain privileges, for trading to Africa and the Indies [31].

[31] By this act, certain perſons named, and ſuch as ſhould join them before the 1ſt of Auguſt 1696, were conſtituted a body corporate, by the name of The Company of Scotland trading to Africa and the Indies, provided that one half of the fund, or capital ſtock, ſhould be advanced by Scotchmen, &c &c. Together with the rights and privileges uſually given by law to other mercantile or manufacturing companies, they were empowered to plant colonies, hold cities, &c. in Aſia, Africa, or America, in the places not inhabited, or in any place, by conſent of the natives, and not already poſſeſſed by an European ſovereign. All the powers and prerogatives, neceſſary for internal government and defence, were granted them. They were alſo exempted from all impoſitions or taxes for the ſpace of twenty-one years.

The

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1695. 120,000l. Engliſh.

The immediate effects of this act, though afterwards fatal to Scotland, were fully anſwerable to the expectations of the court. The ſum of one million four hundred and forty thouſand pounds Scotch, was voted for the maintenance of the land forces, and providing cruiſers and convoys for the defence of the coaſts. What was no leſs agreeable to his majeſty, an act was obtained for allowing ſuch of the epiſcopal clergy as took the oaths to the king, to continue in their pariſhes without being ſubjected to the preſbyteries [32].

Hard treatment 1698.

No ſooner had the Scots, in proſecution of the late act, adopted the plan of making a ſettlement in the Iſthmus of Darien, than the king became ſenſible of the impropriety of the indulgence he had granted them. The Spaniards were alarmed at a ſettlement adjacent to their colonies, and their ambaſſador preſented a memorial to the court of England, remonſtrating againſt it. The French king, extending his views to the reverſionary advantages of the Spaniſh ſucceſſion to his family, offered a fleet to drive the Scots out of their ſettlement. The Engliſh were jealous of it, leſt the proſpect of wealth ſhould drain their plantations in North America and the Weſt Indies. What was believed to go ſtill nearer to the heart of William, it was repreſented to be injurious to the inte-

[32] In conſequence of this act, which was a confirmation of what had been promiſed by the laſt ſeſſion, about ſeventy of the epiſcopal clergy, who took the oaths, continued to exerciſe their miniſterial functions, and to enjoy the legal benefices. In pariſhes where they had gained the affections of their people, the continuance of their paſtors would, we may believe, be highly acceptable; but, as the generality of the people were zealous for preſbytery, the old epiſcopal incumbents were often looked upon with an evil eye, and conſidered as a burden upon the eſtabliſhment.

reſt

CHAP. XVIII. 1698.

reſt of the States [33]. The Engliſh parliament had early teſtified a diſapprobation of the indulgence vouchſafed to the Scots, and though a tory miniſtry prevented that perſeverance in oppoſition to it, which was expected from their firſt reſolutions, yet it was known to be highly offenſive to their conſtituents. Every meaſure was now purſued by the court, to fruſtrate the projects and ſucceſs of the Darien adventurers. The miniſter at Hamburg preſented a memorial to the ſenate to prevent the pecuniary aſſiſtance, which the company derived from the ſubſcriptions of the merchants there [34]. Orders were tranſmitted to the governors of the Engliſh colonies in America and the Weſt Indies, forbidding all commerce with them, and proclamations were iſſued to that purpoſe.

Jan. 1696.

The effects of theſe ungracious meaſures of the court were what might naturally have been expected. Three ſucceſſive colonies, ſent from Scotland, periſhed under the complicated calamities of diſeaſe, famine, and the ſword [35]. Some of them, who were taken by the Spaniards, dragged out a miſerable exiſtence in priſons, ſubjected to all the inſults and cruelties, which are uſually inflicted on pirates and robbers; and thus the lofty expectations of the Scots were laid in the duſt. The loſs of two hundred thouſand pounds, ſubſcribed

and misfortunes of the Scotch Darien company.

[33] It was ſaid, that the Dutch from Curozao carried on a lucrative coaſting trade among the Spaniſh plantations, which they were afraid the Scotch colony would draw entirely to themſelves.

[34] Life of William, vol. iii. State Tracts, &c.

[35] The firſt colony, conſiſting of about twelve hundred men, departed from Leith on the 26th of July 1698. Soon after, a ſecond and a third, conſiſting nearly of the ſame numbers, followed. The firſt and ſecond colonies waſted away with famine and diſeaſe. The third fell into faction and diſputes among themſelves, were attacked by the Spaniards, and ſurrendered to them.

by

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1698.

by a nation ſo low in fortune, occaſioned almoſt an univerſal bankruptcy. There were few families which did not feel in a more tender point, and lament the loſs of relations, who, inſtead of returning to their country loaded with wealth, had, through tyranny and treachery, been expoſed to a premature death, attended with uncommon circumſtances of horror.

Miſery and diſaffection of the Scots.

From this period to the death of William, the hiſtory of Scotland preſents one uniform face of wretchedneſs, diſcontent, and tumult. The depreſſion, occaſioned by natural calamities, unavoidably leads the mind to view in dark colours, and to feel, more intenſely, thoſe evils, which are brought on by imprudence, or by the malevolent agency of others. A ſucceſſive run of bad ſeaſons and ſcanty crops, at a time, when want of credit and difficulty of importation excluded any relief by a foreign ſupply of corn, completed the miſeries, and inflamed the indignation and complaints, of the Scots. Many families of the lower claſs periſhed by famine; and thouſands were daily emigrating from their native land. Diſcontent and clamour pervaded the whole body of the people. Their minds were exaſperated againſt a ſovereign, who, like a ſtep-father, inveſted with the authority, without feeling the affection, of a parent, was partial and oppreſſive to them, whenever their intereſts came into competition with thoſe of England or the States. Their hearts were alienated from the ſiſter kingdom: the jealouſy, rancour, and antipathy, which had agitated both nations in a ſtate of hoſtility, began to revive, in all their vehemence. The contempt, the humiliation, the miſeries, with which they were now overwhelmed, were traced up to that inauſpicious event, which had united them under the dominion of one ſovereign. While the minds

of

of the people in general were prepared for a ſeparation, the friends of James, who never had deſerted him, were mortified, by the coldneſs with which their addreſſes were now entertained, not only by their ancient ſovereign, but by the court of France, ever open to the ſupplications of the Scots, and ready to vouchſafe them protection, before their fatal junction with England [36]. Nor were their diſaſters, from a foreign cauſe, ſoothed and alleviated by internal harmony, and that brotherly affection, which is naturally ſtrengthened by a community of ſufferings. The pride, the rivalry, the hatreds, of their chieftains, were ever and anon productive of diſcords, which embroiled the ſubordinate claſſes of their dependants. The bigotry of the preſbyterians, armed with legal authority, omitted no opportunity to vex and to haraſs thoſe, who did not conform to their worſhip and government. Incendiary papers daily iſſued from the preſs; aſſociations were formed; riots and mobs in the metropolis, and under the very eye of the chief magiſtrate, exhibited the fury of the people, and the relaxation and impotence of government. Miniſters and judges reciprocally upbraided and accuſed one another of imprudence, timidity and treachery. Various attempts were made to appeaſe the diſcontents of the people, and to reſtore the dignity and authority of

[36] Lewis adviſed James at this time not to enter into any terms with the malecontents in Scotland, becauſe, on account of the increaſing rancour between the two kingdoms, it would render him odious to the Engliſh, who were the moſt powerful; whereas, if he regained England, the Scots muſt neceſſarily yield to his authority. This advice of the court of France probably proceeded more from a regard to its own intereſt, than that of James. The partition treaty, which was now negociating, would have been fruſtrated, if France had provoked William by ſtirring up a rebellion in Scotland.

government.

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government. Great induſtry was uſed to gain perſons of intereſt and family: penſions were beſtowed; and titles were conferred. The moſt flattering promiſes, of his majeſty's reſolution of doing every thing in his power for the relief of Scotland, were contained in his letters to the parliament. Theſe attempts only ſerved to evince the inveterate and univerſal diſaffection of the Scots. Remonſtrances and addreſſes, from parliament, complaining of grievances, fruſtrated the expectations of the king, and repeatedly obliged his commiſſioners prematurely to adjourn it. The malecontent members threatened to ſit by force, and in defiance of the king's adjournment. Petitions, in the ſame ſtrain with the addreſſes, and praying for a meeting of parliament, were preſented by many of the counties and boroughs. It was dangerous for any perſon, in the courſe of converſation, to ſay any thing in defence of the king or his miniſters; or to expreſs himſelf, with reſpect to the affair of Darien, contrary to the general ſenſe of the nation [37].

1698.

1700.

In this ſituation, it became evident that the ſtrength of England was impaired, and its proſperity endangered, by a connexion with Scotland. A diſunion of intereſt and affection, between the two nations, indicated an approaching disjunction of their government. The extenſion of the act of ſettlement, deemed eſſential to the ſafety of the government and the proteſtant religion, was not adopted by the Scottiſh parliament. After the death of William, it was obliquely rejected by

[37] For the proof and illuſtration of theſe facts relative to Scotland, the reader is referred to a valuable Collection of State Papers and Letters, addreſſed to Principal Carſtares, and publiſhed by Doctor M'Cormick 1774; which exhibits a more diſtinct and ſtriking view of the temper and political ſtate of Scotland, than what can be conveyed by any general hiſtory.

their

their act of ſecurity [38]. That ſagacious prince had foreſeen all theſe evils, and often expreſſed his wiſhes for an incorporating union between the two kingdoms, as eſſential to the happineſs of both. The enlightened and diſintereſted friends of their country were more and more convinced of the importance of this object. Their wiſhes and endeavours were at laſt crowned with ſucceſs by the act of union, paſſed in both parliaments in the year one thouſand ſeven hundred and ſeven. CHAP. XVIII. 1691.

As the fruits of this event, after the experience of near a century, have been fully anſwerable to the fondeſt expectations of its promoters, it will be the ardent prayer of the generous patriot, that every recollection may be obliterated, and every inequality and diſtinction aboliſhed, injurious to the continuance and perfection of that union, which is pointed out by the hand of the wiſe Creator of the univerſe.

To complete this work, it is neceſſary to give a ſhort account of the political ſtate of Ireland from the period, at which we left it, to the end of this reign.

State of Ireland. Articles of Limerick.

The war there was terminated, as I have obſerved, by the ſurrender of Limerick on the fifth of October one thouſand ſix hundred and ninety-one. By the articles of capitulation, the Roman catholics were eſtabliſhed in the privileges which they enjoyed in the reign of Charles the ſecond. All the garriſons, which had declared for king James, and all officers and ſoldiers, bearing his

[38] By the act of ſecurity, paſſed in the parliament of Scotland in 1604, it was provided, that, if the queen died without iſſue, a parliament ſhould immediately meet, and declare the ſucceſſor to the crown, who ſhould not be the *ſame perſon* who was poſſeſſed of the crown of England, unleſs, before that time, there ſhould be a ſettlement made in parliament of the rights and liberties of the nation, *independent on Engliſh councils.*

commiſſion,

CHAP. XVIII. 1691.

commiſſion, who were willing to take the oaths to William and Mary, were to enjoy the eſtates which belonged to them before the commencement of the war. The ſame benefits were to be extended to merchants and other perſons who had gone abroad within that period, provided they ſhould return within eight months, and ſubmit to the government. Such as declined to do this were permitted to leave the kingdom, and to go beyond ſea to any place they choſe, England and Scotland excepted. To facilitate the tranſportation of officers and ſoldiers in the ſervice of James, the Engliſh general engaged to furniſh fifty ſhips of two hundred tons, and more, if neceſſary, upon condition of paying the expences of their proviſions at the place of diſembarkation.

Cenſured by the Iriſh proteſtants and whigs.

Theſe were the principal articles, agreed to at the ſurrender of Limerick, boaſted of by the friends of James as the moſt advantageous capitulation recorded in the annals of war, and condemned by the Iriſh proteſtants, and many of the whigs in England, as diſhonourable to the arms of William, and unjuſt to his beſt friends in Ireland [39].

The reduction of that kingdom had been conſidered, by the proteſtants, as affording the moſt favourable opportunity for impoſing ſuch reſtrictions upon the Roman catholics, as might remove any future danger ariſing from the great ſuperiority of their numbers. By the reſtoration of property to the perſons, who were in arms againſt the revolution, the Engliſh nation was deprived of confiſcations, which, though turned to the beſt account, muſt have proved an inadequate compenſation for the burdens they had endured in

[39] Orleans. Burnet, 1691.

accompliſhing

accompliſhing the reduction of Ireland. By ſecuring to the rebels not only the poſſeſſion of their original property, but, of their eſtates, at the time of the treaty, as well as by the pardon of treſpaſſes committed during the war, the moſt oppreſſive injuſtice to individuals was confirmed; and thoſe, who, upon account of their early zeal for the revolution, had been moſt expoſed to violence and depredation, were abandoned to irreparable loſs and ſuffering.

No article of this treaty was more ſeverely cenſured, than that, which ſtipulated for the tranſportation of the Iriſh officers and ſoldiers into France. What more acceptable ſervice could have been rendered to the French king, than to furniſh him with a choice body of troops made deſperate by exile, and prepared, when an opportunity occurred, to invade their native country with advantages, which no foreigners could poſſeſs? Nor would the benefit, which France was likely to derive from this conceſſion, be confined to the ſervices, or terminated by the lives, of the perſons who were firſt tranſported from Ireland. By maintaining a correſpondence with their relations, who remained in their native country, they would entice many to follow their example. The ſpirit of emigration, together with attachment to a foreign intereſt, would be cheriſhed, and, in ſucceeding generations, the armies of France would be recruited with the ſubjects of England.

Conſiderations tending to vindicate the propriety and juſtice of them.

However plauſible theſe obſervations, yet ſtrong reaſons, ariſing from the circumſtances of both kingdoms, recommended to William the moſt liberal conceſſions for obtaining the early ſubmiſſion of Ireland. The parliament of England, recollecting the enormous profuſion of blood and treaſure waſted in ſubduing the Iriſh rebels, in the

reign

CHAP. XVIII. 1691.

reign of Charles the firſt, granted ſupplies for the preſent war with reluctance and penury; and yet, ſuch groſs abuſes daily occurred in the expenditure of them, as furniſhed the party in oppoſition with the moſt ſpecious grounds, for arraigning the conduct of the king and his miniſters. He foreſaw with regret, in the prolongation of hoſtilities in Ireland, a diverſion of the revenue and force of England, which he wiſhed to employ more directly againſt the armies of France upon the continent.

Nor was there any juſt reaſon for treating the Iriſh as rebels againſt the government of England, and for inſiſting upon thoſe hard terms of ſubmiſſion, which were preſcribed by the fears, the intereſts, or the reſentment, of the Engliſh proteſtants. James had not abdicated or deſerted the throne of Ireland. So long as a deputy held the reins of government in his name, the moſt obvious duty, as well as a regard to perſonal ſafety, recommended the continuance of allegiance to him. His aſſuming the government in perſon, while England ſtill heſitated and delayed to ſuccour thoſe who had declared for the prince of Orange, neceſſarily involved, in active hoſtility, many perſons, who wiſhed well both to liberty and the proteſtant religion.

The privileges, granted to the Roman catholics, were ſuch as could not have been withheld, without invading the conſtitution eſtabliſhed at the reſtoration; and giving the higheſt offence to the foreign princes, who were members of the confederacy [40].

The conſenting to the emigration of the Iriſh troops might alſo be vindicated by the rules of

[40] Letters of the earl of Perth, Macpherſon's State Papers.

prudent

prudent policy. Was it to be imagined, that ſuch a numerous and gallant body, hoſtile to the proteſtant religion and government, inured to plunder, and with arms in their hands, would have remained in a ſtate of harmleſs inactivity? In what ſituation could they be more ſerviceable to Lewis, or more dangerous to William, than by being planted in the bowels of their native country, and ready for an inſurrection, whenever any leader ſhould offer to conduct them? The tranſportation of ſuch a number of diſaffected ſubjects, was like giving vent to thoſe deleterious humours of the body, which, if they do not find a free diſcharge in the extremities, will recoil upon the vital parts, and quickly put an end to its exiſtence.

But however neceſſary the articles of Limerick might be, for obtaining the peaceable ſettlement of Ireland, yet it might have been expected, that the execution of them would excite temporary diſcontents; and even alienate the affections of many who firſt ſupported the revolution. The ſchemes of avarice and reſentment were not only defeated, but, in ſome inſtances, the expectations of equitable indemnification were cut off, by ſuch a liberal remiſſion of forfeitures, and ſuch a comprehenſive extenſion of mercy. To reconcile ſo many jarring intereſts, and to ſoften the complaints of the diſappointed, great firmneſs and diſintereſtedneſs were requiſite in the perſons, whom the king intruſted with the management of his affairs. Unfortunately, however, either from the original want of theſe qualifications, or the uncommon force of temptation, the meaſures and example of his majeſty's ſervants rather tended to inflame the diſcontents of the Iriſh, and to bring reproach upon the articles of Limerick. The perſons, whom the king appointed lords juſtices or

Abuſes committed by his majeſty's ſervants in the government of Ireland.

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1691-2-3, &c.

commiſſioners [41], diſcovered an arbitrary ſpirit, and great partiality, in the diſpenſation of juſtice. The trial of crimes was often conducted in a ſummary way, and without regard to the eſſential forms of law: evidence was ſuppreſſed with the connivance of the judges; the principal tranſgreſſors were acquitted, while thoſe, who acted under their direction and influence, ſuffered the extreme vengeance of the laws [42]. But, in no caſe, did the management of the juſtices appear more iniquitous and oppreſſive, than in regard to the Iriſh forfeitures. The moſt beneficial leaſes were not only retained for themſelves and their friends, but, in the competition for eſtates and farms, the loweſt bidders were ſometimes preferred; which, unavoidably, led to the ſuſpicion of ſecret compenſation being made them for flagrant breach of truſt. Theſe miſdemeanours and the grievances occaſioned by them, produced complaints and diſaffection, which were made the ground of ſpecific charges, preſented to the legiſlature in both kingdoms. Inquiries were inſtituted: important diſcoveries were made; but the extreme intricacy and tediouſneſs of this buſineſs, the private concerns of parties in England, and the induſtry of powerful individuals, who were not themſelves free from all acceſſion to the guilt alleged, prevented any effectual redreſs of public abuſes, and the puniſhment of ſtate delinquents [43].

Peaceable ſtate of Ireland.

Notwithſtanding theſe occurrences, it is remarkable, that no internal diſorder, affecting govern-

[41] On the 5th September 1690, the king conſtituted lord Sidney and Thomas Coningſby lord juſtices of Ireland, and afterwards added others to the commiſſion.

[42] Ralph, vol. ii. p. 335.

[43] Journ. Commons, February, March, 1693, paſſim.

ment,

ment, happened in Ireland after the surrender of Limerick. No future attempt was made by James, or his friends, to raise an insurrection there. In the consultations among his agents, and their correspondence with Saint Germains, they do not seem at all to have reckoned upon the strength of Ireland, or to have expected any material support from it. The submission of the Irish to the laws and government was more prompt and regular, than it had been in any former reign. His majesty's title was recognised without any conditions; and, in five successive sessions of parliament, which met in the course of this reign, supplies were granted, and measures, in general, were carried on, agreeably to the wishes of the court.

CHAP. XVIII. 1691-2-3, &c. 5th October 1692, 27th Aug. 1695, 27th June 1696, 27th July 1697, 27th Sept. 1698.

In attending to the history of this period, we are naturally struck with the remissness of Ireland, in having omitted so favourable an opportunity of meliorating her political situation. If it was in vain, to attempt an explicit declaration of her right to an independent legislature and jurisdiction, yet the example of the conventions, in England and Scotland, might have suggested the idea of stipulation with the new government, and the propriety of fixing limitations to the superiority claimed by England; and of guarding against encroachments and abuses, to which it was wantonly extended in the succeeding reigns.

No bold efforts made by the Irish to assert their independence.

A slight acquaintance with the state of Ireland furnishes a satisfactory explanation of that conduct, which, at first view, may be placed to the account of negligence, or want of public spirit. The prejudices of education concurred with the immediate views of interest, to dispose his majesty's protestant subjects, now vested with the exclusive possession of power, to adopt measures tending to increase and strengthen, rather than to relax or dis-

Reasons for this.

CHAP. XVIII.

1693-4-5-6 7-8, &c.

folve, the dependence of Ireland upon England. All the Engliſh families tranſplanted into Ireland from the reign of James the Firſt, who proſecuted by every method the propagation of the reformed faith, had been taught to conſider their religion and their property as inſeparably connected; and to prefer the ſecurity and defence of the former to every other conſideration. Theſe principles were inſtilled into their children, with the firſt rudiments of education; and became more vigorous and operative in their deſcendants at the revolution, from the remembrance of the horrors of the Popiſh maſſacre, and their own experience of alarm and danger in the preceding reign. Charles the Second had been often inveighed againſt for his indulgence to the Iriſh catholics; and James the Second, by the new modelling of charters, had openly and boldly transferred all the functions of government into their hands. By the revolution theſe were again reſtored to the proteſtants. Far exceeded in numbers by the Roman catholics [44], the Iriſh proteſtants conſidered the maintenance of power and property, and the very ſafety of their perſons, as depending upon their connexion with England. All their ſchemes and meaſures were therefore formed and directed with a view to cheriſh this connexion, and to enſure the defence of their religion. For this purpoſe they ſuggeſted amendments upon the act of ſettlement: they objected to the articles of Limerick, which, in their apprehenſion, ſhewed too much kindneſs to the Roman catholics. A ſullenneſs and diſcontent

[44] They were calculated to have been in the proportion of four to one, at the Reſtoration; and probably increaſed from that period to the Revolution.

prevailed

CHAP. XVIII. 1693-4-5-6-7-8, &c.

prevailed in the firſt ſeſſion of parliament, becauſe lord Sydney, the lieutenant, favoured the native Iriſh and catholics too much [45]. Impreſſed with theſe views, the proteſtants in Ireland were afraid of incurring the diſpleaſure of England; and if more extended views of liberty, or a foreſight of oppreſſion, inclined them to diſown ſubjection to a foreign legiſlature and judicatory, or to propoſe any meaſure which implied the rejection of it, they were over-awed, and yielded to the control of the Engliſh parliament. Different meaſures, purſued in the firſt ſeſſion after the ſurrender of Limerick, ſufficiently aſcertain, that the Iriſh parliament was not ignorant of the juſt claims of their conſtituents to independence, nor backward in aſſerting it, though, for the reaſons mentioned, they had not boldneſs, nor, as circumſtances ſtood, the ability to follow it out [46]. The Engliſh parliament was content, for a while, to paſs acts binding Ireland, and implying its ſubordination, till at length a political pamphlet gave alarm, and occaſioned the houſe of commons to make an

[45] So ſtrongly, long after this period, did the ſame temper prevail, that we find the Iriſh proteſtants attentively availing themſelves of every incident and emergency in England, to obtain farther ſecurities againſt the Roman catholics. They knew how anxious the Engliſh parliament was to obtain the conſent of all the three kingdoms to the act of ſettlement, and they agreed to it upon this condition, that Roman catholics ſhould be diſqualified from ſerving in parliament. In the ſame ſpirit they took advantage of the alarm of England, during the rebellions 1715 and 1745, to obtain ſtricter laws againſt Roman catholics.

[46] They were offended at the privy council in England for preſuming to ſuggeſt particular taxes or means of ſupply, and contended, that, notwithſtanding Poyning's law, it was their privilege to tax themſelves. November 1692. They rejected three bills tranſmitted from England, and gave it as their reaſon, that they had not taken their riſe in that houſe.

explicit

CHAP. XVIII.

1693-4-5-6-7-8, &c.

explicit declaration of the dependance of Ireland upon England, with an addreſs to the king to uſe every method to maintain it [47].

To this idea of the dependance of Ireland, the conduct of the Engliſh miniſters, in ſucceeding reigns, was rigidly conformed. Harſh meaſures were often adopted, where her intereſts were ſuſpected, ever ſo remotely, to interfere with thoſe of the parent ſtate, and ſometimes reſtrictions were impoſed upon her manufactures and trade, without any certain advantage either to the commercial profit, or political ſtrength, of England. Ireland long complained in vain of the accumulated oppreſſions which ſhe endured under the Britiſh yoke, till at length, finding herſelf in poſſeſſion of a powerful military force, when the mother country was over-matched by a combination of foreign enemies with her own diſaffected children, ſhe ſeized the favourable juncture of urging her claims with an aſſurance of ſucceſs, and England yielded, from neceſſity, what ſhe ought long before to have ſurrendered voluntarily, upon principles of juſtice and liberality. It is to be hoped, that the future proſperity of Great Britain and Ireland, united upon equal terms, will inculcate upon princes and legiſlators, in ages to come, this important maxim, that, that policy is ever the moſt beneficial, which is moſt conſonant to equity, and moſt extenſively conducive to the liberty of thoſe over whom it is exerciſed.

[47] Chapter xix.

APPEN-

APPENDIX I.

IN order to understand the grounds and extent of the demands now made by the presbyterians in Scotland, it is necessary to attend to the early history and character of the reformers there. The first object which they had in view, after obtaining the countenance of government, was to abolish every remaining monument and vestige of popery; and for this purpose, they made application to the States, to discountenance, and inflict severe punishments upon, all idolaters, or maintainers of idolatry, for such were the appellations they gave to those, who practised the worship and rites of the Roman catholic religion. This object, together with the establishment of their discipline, and the appropriation of a certain part of the parochial benefices for the maintenance of the reformed preachers or ministers, principally engaged the attention of the first fifteen general assemblies, which met on the twentieth of December one thousand six hundred and sixty, &c. &c. Keith's History of the Church and State, p. 498, &c.

Connected with these points, another object was soon started, and pursued with unremitting ardour through succeeding assemblies; namely, the maintaining and securing to the ecclesiastical courts a jurisdiction separate from, and independent on, the

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the civil authority. This juriſdiction they deſcribe in the following words: "This power and policy "eccleſiaſtical is different and diſtinct in its own "nature from that power and policy which is "called civil power, and appertaineth to the civil "government, &c." Again, "This power ec- "cleſiaſtical floweth immediately from God and "the Mediator Jeſus Chriſt, and is ſpiritual, not "having a temporal head on the earth, but only "Chriſt, the only ſpiritual king and governor of "his kirk." Second Book of Diſcipline, chap. i.

Two cauſes concurred to ſtimulate the preſbyterian clergy to the more vehement and inflexible proſecution of an independent eccleſiaſtical juriſdiction:

1. The interference of the civil power, which invalidated and cancelled the ſentences of their judicatories, and ſometimes protected perſons, who oppoſed the intereſts of the reformation, and contemned the authority of the church courts. A diſtinct and full view of this branch of eccleſiaſtical prerogative the reader, who deſires farther information, may obtain, by peruſing the following papers—A Remonſtrance of the thirteenth General Aſſembly anent the Commiſſion of Juriſdiction granted to the Biſhop of St. Andrews; Keith's Hiſtory, p. 566. The Caſe of Mr. Robert Montgomery; Spotſwood's Hiſtory, p. 318, &c. An Act of Aſſembly relative to the above Caſe; Calderwood's Hiſtory, p. 123, &c. The Declinature of the King and Council's judicature in Matters Spiritual, by Mr. David Blake, Miniſter at St. Andrews, 18th November 1596, approved by Commiſſioners appointed by the General Aſſembly, and tranſmitted to Preſbyteries to be ſubſcribed by them; Ibid. p. 338. Spotſwood, p. 410. 426. The Preface to Articles preſented to the King and States

States by the General Assembly 1582. The purpose of which articles is expressed in the following words: "That the acts of parliament concerning the liberty and jurisdiction of the kirk, "be so plainly declared and enlarged, that, "hereafter, no other of whatsomever degree, or "under whatsoever pretence, have any colour to "ascribe or take upon them any part thereof, "either in placing or displacing, or of hindering, "staying, or disannulling the censures of the "kirk." See, particularly, the 1st Article; Calderwood, p. 134. and the Remonstrance about the Popish Lords, ibid. 142. 301. Patrick Adamson's Answer and Refutation, p. 263. Answer to the General Assembly at Perth, February 1596, particularly Answer to Question 2. Ibid. p. 383, and to Question 23. p. 385.

By attending to the above papers the reader will perceive, that a jealousy of presbytery haunted the breast of James the Sixth of Scotland. He bitterly complained of the insolence of the ministers of the kirk, and when they waited upon him to know the cause of his majesty's displeasure against them, he plainly told them, "That there "could be no agreement between them, so long "as the marches of the two jurisdictions were not "distinguished; that they did convocate general "assemblies without his licence, conclude what "they thought good, not once desiring his allow-"ance and approbation; and in their synods, "presbyteries, and sessions, did meddle with every "thing upon pretence of scandal." See Acts of Parliament presented to the General Assembly at Dundee, April 1693; Calderwood, p. 285. Spotswood, p. 419.

2. As the first reformers, Knox and Melvine, founded the constitution of the protestant church in

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in Scotland upon the model of that of Geneva, they thought it of the greateſt importance to exclude all connexion or aſſociation with the civil power; and as they would not admit of its interference in their eccleſiaſtical judicatories, they were no leſs anxious to debar their own members from any participation of ſecular authority, leſt it ſhould ſeduce them into an approbation of an eccleſiaſtical ſubordination, which was the fond deſire of James. Aware, that ſuch connexion between the civil and eccleſiaſtical judicatories was really the moſt likely means to overturn preſbyterian parity, and to render the clergy obſequious to the court, James laboured with perſevering diligence to introduce a repreſentation of them into the States. By profeſſions of reconciliation to the kirk, conceſſions, and great addreſs in packing a commiſſion, in the year one thouſand five hundred and ninety-eight, he obtained its conſent to an act of parliament, "that ſuch paſtors and miniſters "as his majeſty ſhould provide to the place, dig- "nity, and title of a biſhop, or other prelate, at "any time, ſhould have voice in parliament, as "freely as any eccleſiaſtical prelate had in times "paſt." Spotſwood, p. 448. But the reſolutions of that commiſſion were underſtood to be ſubverſive of preſbytery, and accordingly the eſtabliſhment of epiſcopacy ſoon followed. Dependence upon the civil legiſlature, in matters eccleſiaſtical, was diſclaimed; and the privilege of a ſeparate juriſdiction was conſtantly inſiſted upon, by all who profeſſed to adhere to preſbytery, according to its original and pure inſtitution.

With reſpect to the other conceſſion made by lord Melvill, namely, the aboliſhing the right of patrons to preſent to vacant pariſhes, it may be obſerved, that it was not any eſſential or fundamental part of the conſtitution and government of the

the preſbyterian church in Scotland. Preſentations were coëval with the legal eſtabliſhment of preſbytery. Thus, by an act of the Scottiſh parliament, December, one thouſand five hundred and ſixty-ſeven, it was ordained, "that the examination and admiſſion of miniſters be only in "the power of the kirk, *without prejudice to the* "*patrons*, who muſt preſent a qualified perſon "within ſix months after they have knowledge "of the vacancy," &c. And again, by the act of parliament, fifth June one thouſand five hundred and ninety-two, which contains the ratification of the preſbyterian diſcipline and government, it is ordained, "That all preſentations to benefices be directed to the particular preſbyteries, "with full power to give collation thereupon, "according to the diſcipline of the kirk: *provid-* "*ing the foreſaid be bound and aſtricted to receive* "*and admit whatſoever qualified miniſter be pre-* "*ſented by his majeſty or laick patrons.*"

The order and progreſs of the meaſures purſued by the convention, relative to eccleſiaſtical affairs, afford indiſputable evidence, that they did not conſider the abolition of patronage to be founded upon the ſame grounds with thoſe other claims, which they annexed to the twenty-firſt article, in the enumeration of their rights. They abrogated the aſſertory act, or the act of ſupremacy, paſſed in the year one thouſand ſix hundred and ſixty-nine, as inconſiſtent with the eſtabliſhment of the church government they deſired; they aboliſhed prelacy; they reſtored the preſbyterian clergy, who had been thruſt out of their livings after the reſtoration. So far the path was open and ſmooth, and they advanced with expedition and aſſurance; but, when they proceeded to ſettle the preſbyterian church government, upon the footing of the act one thouſand five hundred and ninety-

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ninety-two, and to ratify and revive the ſame in all the heads thereof, they pauſed and heſitated with reſpect to that clauſe, which ſecured the right of patronage, and reſerved it for future conſideration. They were aware, that this ſtatute, which was to be the rule of their proceedings, contravened their own opinion and the popular deſire.

But, though preſentations were thus interwoven with the legal eſtabliſhment of preſbytery, it does not appear that they were agreeable to the inclinations of the preſbyterian clergy, or that they would have preferred this mode of ſettling vacant pariſhes, if it had been left to their choice. Early after the reformation, they expreſſed an earneſt deſire to aboliſh this branch of the right of patrons, and to veſt the election of miniſters in the pariſhes, or preſbyteries. See Firſt Book of Diſcipline, chap. 4. General Aſſembly, 1560. Second Book of Diſcipline, chap. 12. Preſentations, however, being a matter of civil right or property, could not be taken away, without conſent of the States. Unable to obtain this, future general aſſemblies exerted their endeavours to prevent the abuſe of preſentations, to circumſcribe the power of patrons, and to ſecure the qualifications of preſentees. Adhering to the ſame ſentiments, the church of Scotland availed itſelf of the depreſſed ſituation of Charles the Firſt, in the year one thouſand ſix hundred and forty-two, to obtain his conſent to confine the candidates for vacant pariſhes, to a leet; that is, to a liſt, of ſix, to be ſent him by the preſbytery of the bounds. And they afterwards propoſed that their leet ſhould be confined to three. After the death of Charles, the ſtates of Scotland paſſed an act, on the ninth of March one thouſand ſix hundred and forty-nine, aboliſhing the patronage of kirks.

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As preſent ations were aboliſhed at that period, when preſbytery was conſidered to have attained its purity, and revived, after the reſtoration, together with the eſtabliſhment of epiſcopacy, the original prejudices of the people in Scotland againſt them were corroborated, by aſſociating them in idea with a form of religion which was unpopular, and by invading that freedom of choice which they had long exerciſed. It is alſo natural to conclude, that the preſbyterian clergy, who, during the late reigns, had ſubſiſted by the bounty of the people, would be partial in aſſerting and contending for what they believed to be the rights of their benefactors.

After the abolition of preſentations, the right of electing miniſters for ſupplying vacancies was placed in the heritors; that is, proprietors of land, and in the elders, or kirk ſeſſion of the pariſh. This plan of ſettling miniſters continued till the year one thouſand ſeven hundred and eleven, when, by act of parliament, the right of patrons was again reſtored. Though, from this period down to the preſent day, preſentations, together with collation by the preſbyteries, have been the only legal method of conferring a right to benefices, the eccleſiaſtical laws, which were adapted to the act one thouſand ſix hundred and ninety, remain unrepealed; and this jarring, between the civil and eccleſiaſtical legiſlature, has given occaſion to diviſions injurious to the preſbyterian eſtabliſhment in Scotland. While the people are miſled, by the forms of eccleſiaſtical courts, to believe, that a call, that is, the conſent of a great portion of the people, or at leaſt a majority of the heritors and elders, is neceſſary to complete the right of the preſentee; ſo, when that is wanting, they think

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think themſelves warranted to object to his being collated, or ordained by the preſbytery; and accordingly, as the preſbyteries happen to approve or repel this objection, the cauſe is carried, by appeal of the patron, or of the pariſh, to the general aſſembly, the ſupreme judicatory, whoſe ſentence is final in all eccleſiaſtical cauſes. But, in this judicatory, a diverſity of ſentiment often obtains among the members, who are equally entitled to credit for the purity of their motives; ſome contending, that the eccleſiaſtical laws ought to be the rule of their deciſion, while others are convinced, that not only neceſſity, but utility, requires obedience to the ſtatute.

It were earneſtly to be wiſhed, that the civil and eccleſiaſtical laws were moulded into ſuch conformity with each other, as to free the ſentences of the church courts from every handle of cenſure, which is not only hurtful to their reputation, but painful to individuals, who abhor even the appearance of any deviation from candour and juſtice, either in their private or public conduct.

APPENDIX II.

A Commiſſion was granted on the twentieth of June, one thouſand ſix hundred and ninety-three, appointing certain perſons to make inquiry concerning the ſlaughter of Glenco, by whom and by what authority it was committed, and with full powers to examine witneſſes, and to tranſmit the true ſtate of the matter to the king, that he might give proper directions for ſatisfying the nation. CHAP. XVIII. APPENDIX.

From the proceedings of this commiſſion, and the ſubſequent reſolutions of parliament, in May one thouſand ſix hundred and ninety-five, we are enabled to penetrate into the cauſes of a meaſure ſo reproachful to the government of William, and ſo inconſiſtent with the ordinary tenor of his diſpoſition and conduct. We evidently perceive a ſeries of malignant events, conſpiring to the accompliſhment of an atrocious action, which could not have happened, if any one of them had been wanting; and unleſs an uncommon cordiality in cruelty had united the adviſers, abettors, and executioners, of it.

Private pique and reſentment, ariſing from an ancient and hereditary feud, induced lord Breadalbane to give the moſt exaggerated account of Glenco's diſloyalty, and of the effects of which it might be

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be productive. He was repreſented as the ſole cauſe of fruſtrating his majeſty's plan of reconciling the Highland clans to his government; and as reſerving himſelf for ſome future opportunity of rebellion. Theſe views were ſeconded by ſir John Dalrymple of Stair, ſecretary of ſtate. When the king was adviſed to offer, by proclamation, an indemnity to the Highland rebels, who ſubmitted by taking the oaths, and threatening the moſt ſevere vengeance againſt ſuch as did not, ſir John Dalrymple anticipates the diſobedience of Glenco, and projects his deſtruction. "Since the government cannot oblige them, it will be obliged to "ruin ſome of them, to weaken and frighten the "reſt;" and he adds, "That Macdonald of "Glenco will fall in the net." Letters of ſecretary Stair to colonel Hamilton, 1ſt and 3d December 1691; State Papers, T. W. vol. iii. p. 603.

A concert ſeems to have been formed among his majeſty's miniſters in Scotland, to ſuppreſs the evidence of Glenco's having taken the oaths to government. The privy council refuſed to admit the certificate of ſir Colin Campbell of Ardkinlas, ſheriff-deputy of Argile, bearing that Glenco had taken the oaths. Individuals, who were members of the privy council, when applied to by Colin Campbell, the ſheriff clerk, to receive the certificate, anſwered, that they could not receive it without a warrant from the king; and that it would neither be ſafe for Ardkinlas, nor profitable for Glenco, to give it in to the clerk of the council. His words, upon evidence, are, "That lord Aber"ruchil, one of the privy counſellors to whom he "applied, ſaid he had ſpoke to ſeveral privy coun"ſellors, and particularly to the lord Stair, and "that it was his opinion, that the foreſaid certifi"cate could not be received without a warrant "from

" from the king." Aberuchil confirms his evidence, but does not name lord Stair. After the news of Glenco's delinquency, before any inſtructions were received from his majeſty, Stair writes two letters to ſir John Livingſton, commander of the troops in Scotland, in which he expreſſes the utmoſt ſatisfaction at that event, and endeavours to prepare ſir Thomas for the moſt cruel orders, undertaking that his commiſſion ſhall contain ſufficient authority. " I aſſure " you, your power ſhall be full enough, and I " hope the ſoldiers will not trouble the govern- " ment with priſoners." Stair's Letter, ſeventh January one thouſand ſix hundred and ninety-two. In his letters, ſent with the firſt inſtructions to ſir Thomas, he expreſſes perſonal reſentment againſt Glenco. He ſpeaks as if it was his own cauſe, and enlarges upon the inſtructions given to the commander. " I have no " great kindneſs to Kippoch nor Glenco. Argyle " tells me that Glenco has not taken the oaths; " at which I am glad. It is a great work of " charity to root out that damnable ſect; the " worſt of all the Highlanders." Letter eleventh January. He afterwards writes on the ſixteenth: " The king does not incline to receive any after " the diet, but upon mercy." And adds, " I " entreat that the thieving tribe of Glenco may " be rooted out to purpoſe." He not only urges ſir Thomas Livingſton to the moſt rigid execution of the king's orders, but, what is particularly remarkable, knowing that theſe orders would be committed by Livingſton to colonel Hill, he writes alſo to the latter, giving ſuch directions as might render the execution of them more fatal and effectual. " When the thing concerning " Glenco is reſolved, let it be ſecret and ſudden,

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"otherways the men will ſhift you; and better "not meddle with them, than not do it to pur- "poſe." Letter thirtieth January.

Sir Thomas Livingſton caught the bloody ſpirit of Stair; and in a letter to colonel Hamilton, who was to execute the buſineſs, he repeats all his expreſſions; and obſerves to the colonel, "that he will have an opportunity of ſhewing "that his garriſon ſerved for ſome purpoſe." See Letter from ſir Thomas Livingſton to colonel Hamilton, 12 Feb. 1692; State Papers, T. W. vol. iii. p. 608.

When we obſerve ſuch a combination of malice, ſuch premeditated and perſevering violence, in thoſe who adviſed and ſerved the king, we need not have recourſe to the ſuppoſition of any inherent cruelty in his diſpoſition to account for the maſſacre at Glenco. He muſt have been, to an uncommon degree, ſuſpicious and wary, if he had avoided the ſnare. After all, it is not intended to remove all blame from his conduct in this affair. He was guilty of indolence and careleſſneſs, in conſenting to inſtructions ſo horrid and barbarous; in not enquiring into the circumſtances of this event immediately after it happened, and in not inflicting puniſhment upon the perſons, to whom the guilt was applied by the commiſſioners. The maſſacre of Glenco, if not a crime in William, was certainly one of the greateſt misfortunes of his reign. The commiſſioners found that there was nothing in the king's inſtructions to warrant the committing of the ſlaughter, and far leſs the manner of it; and that ſecretary Stair's letters were no wiſe warranted by, but quite exceeded the king's inſtructions. State Papers, T. W. 509. See alſo De Foe's Hiſtory, p. 70. Cunningham's Hiſtory, vol. i. p. 124.

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Circumſtances unfavourable to the Influence and Tranquillity of William after the Peace of Ryſwick.---His Anxiety to prevent the Reduction of the Army.---Arguments againſt a ſtanding Army---Arguments for it.---Reaſons for the King's Reluctance to the Diſbanding of the Army.—Meeting of Parliament.—Reſolutions of the Commons to diſband the Army.—Various Pretexts of the King for not complying with it.—The Civil Liſt augmented.—Reſolutions with reſpect to the public Debts.—Eſtabliſhment of a new Eaſt India Company.---Motion for appropriating the Iriſh Forfeitures to the public Service-- defeated.---Attack upon Mr. Montague.—The Dependence of Ireland on England aſſerted.—Diſſolution---and Character of the third Parliament of William.---Partial Change in Adminiſtration.---The Earl of Portland ſent Ambaſſador to France.—The Whigs prevail in the Elections.---The fourth Parliament meets.---The Army farther reduced.—The Navy augmented.—Partial Change of Miniſtry in favour of the Tories.---Second Seſſion of the fourth Parliament.---Meaſures of Oppoſition directed againſt the Whig Miniſters—and perſonally againſt the King.—Reduction of the Navy.—Revocation of the Royal Grant in Ireland.—Severe Act againſt Roman Catholics.—Reflections.—Addreſs and Inſinuations of the Tories for prevailing with the King to bring them into Power.—Lord Somers removed from Adminiſtration.—

Events contributing to a complete Change of Miniſtry.—Death of the Duke of Glouceſter.—The Importance of extending the Proteſtant Succeſſion.—The State of foreign Politics.—Death of the King of Spain.—Diſſolution of the fourth Parliament.

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1697. Circumſtances unfavourable to the influence and tranquillity of William after the peace of Ryſwick.

THE peace of Ryſwick cloſed the military labours of William, and confirmed his title to the crown of England, but it did not promote his tranquillity and influence at home. A contradiction to his favourite meaſures, inſult to his affections, the faction, jealouſy and ingratitude of his ſubjects, filled the remaining years of his life with anxiety and bitterneſs. A war, popular at its commencement, had united the approbation and ſervices of every party, and, during its continuance, ſuſpended and moderated animoſities. The return of peace gave new ſcope to the proſecution of private intereſts and reſentments, diſturbed the harmony, and weakened the energy, of domeſtic government. The frequent changes in adminiſtration, ſince the acceſſion of William, indicated his indifference or impartiality with reſpect to the two moſt powerful parties, and diſappointed him of the cordial and ſteady ſupport of either. The ſtore of royal favours, a powerful attractive of homage and ſupport to the crown, was impaired by a peace eſtabliſhment. The whigs, who, independently on any motive of perſonal attachment, were the moſt ſincere friends to the revolution, and ſupported the authority of William as it was connected with that event, had loſt much of their reputation by the apparent inconſiſtency and ſelfiſhneſs of their conduct[1].

[1] Burnet, 1697-8.

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The tories, though they maintained more courtly principles than the whigs, had not ſcrupled, while in oppoſition, to make violent attacks upon the prerogative, and, beſides, were ſo much mixed with the friends of St. Germains and of the princeſs Anne, that the king could not rely with confidence upon their ſupport. The republicans, who had coaleſced with the whigs at the revolution, now began to reſume the name and conſequence, of an independent party. Many books in defence of their principles were now publiſhed, and, by the applauſe with which they were received, it appeared that their favourers were neither few nor inconſiderable [2]. From this party, a ſtrong reinforcement might be expected in every queſtion and reſolution, framed for degrading the dignity, or contracting the prerogatives, of the crown. The tumults and diſcontents of the Scots were a ſource of continual vexation to the king, and the meaſures, which he employed to allay them, were turned into complaints againſt his government by his enemies in England. That jealouſy of the Dutch, which began at an early period in this reign, reſtrained during the war by the aſſociated intereſts of England and Holland, now broke forth with the utmoſt violence, trampled upon all the laws of decorum and gratitude, and gave a deep wound to the ſenſibility of the king [3]. At the ſame time, the rivalſhip and animoſity of thoſe, who had been the earlieſt objects of his confidence,

[2] Harrington's Oceana, Milton's Antimonarchical Treatiſes, Ludlow's Letters, Sydney on Government, were ſtudied with great avidity at this time, and were ſuppoſed to make a deep impreſſion in behalf of the principles which they inculcated.

[3] See a pamphlet, entitled, The Dear Bargain. Somers' Collection, vol. xi. p. 228.

diſappointed

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diſappointed him of that ſympathy and united ſupport, which might have ſoothed him under the indignities which he daily received. Thus the violence of faction, a diſtruſt of every party, and the feeble and ſtaggering influence of the court, conſtrained him to purſue, in a clandeſtine way, thoſe meaſures, which the intereſt of England, and the independence of Europe, required; and the detection of them furniſhed his diſcontented ſubjects with new materials for cenſure and oppoſition. Theſe obſervations will be illuſtrated by the events and tranſactions of the remaining period of this reign.

Having ſettled the affairs of the States after the peace, William returned to England on the fourteenth of November. He was received by the city of London with pompous expreſſions of congratulation, and the gratitude of the nation was teſtified by addreſſes from every corporation and county. As the people in general rejoiced in the proſpect of a ceſſation from thoſe heavy burdens, which had been accumulating ſince the commencement of the war, ſo they were more ſolicitous to enjoy the immediate fruits of the peace, than to render it productive of durable and ſubſtantial advantages. The reduction of the army was univerſally expected as the certain and happy conſequence of that event; but, unfortunately, was conſidered by the king as equally fatal to his authority, and to the ſecurity of England and the States. Aware of the prejudices of the people, he diſcovered an anxiety, impolitic and premature, to reconcile them to his private opinion and wiſhes. A pamphlet, ſetting forth the dangers which would follow from diſbanding the army, was traced to the inſpiration of the court, and only

Anxiety of the king to prevent the reduction of the army.

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only ſerved to ſpread and to confirm the oppoſite opinion [4].

The anticipation of a queſtion of ſuch magnitude, and which conſtitutionally depended upon the vote of parliament, awakened popular jealouſy, and diſcovered the ſpot in which the court was vulnerable. Whigs and tories, however much at variance in their political ſentiments, had united upon this important point, and had publiſhed to the world their decided proteſt againſt a ſtanding army. The former, in the reign of Charles the Second, contended for the diſmiſſion of the life guards, as eſſential to the ſafety of the conſtitution and liberties of England; the latter had meritoriouſly ſupported the militia in oppoſition to king James, who, after the ſuppreſſion of Monmouth's rebellion, wanted to eſtabliſh a ſtanding army, as the fitteſt inſtrument for accompliſhing his arbitrary meaſures [5]. A ſtanding army was ſo well underſtood to be the darling object of every ambitious prince, and ſo repugnant to the liberties of the people, that it had been ſolemnly and expreſsly guarded againſt by the bill of rights, except with the conſent of parliament. The ſelect arguments upon this ſubject, which were dilated and placed in a variety of lights in the debates and publications of the times, may be compreſſed within a narrow compaſs.

[4] It was ſtiled, A Letter balancing the Neceſſity of keeping a Land Force in time of Peace, &c. and aſcribed to lord Somers.

Very able pamphlets were publiſhed on the other ſide, particularly one by Mr. Trenchard, entitled, An Argument, ſhewing, that a ſtanding Army is inconſiſtent with a free Government, and abſolutely deſtructive to the Conſtitution of the Engliſh Monarchy.

[5] Ralph, vol. ii. p. 766.

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Arguments againſt a ſtanding army.

The expence of maintaining an army, the diſorders and oppreſſion which attended the reſidence of military men, the increaſing power of the crown, ariſing from the diſpoſal of ſo many commiſſions, were conſiderations no leſs obvious than worthy of patriotic attention.

No fact ſeemed to be better eſtabliſhed by the current teſtimony of hiſtory, than the inconſiſtency of a ſtanding army with a free conſtitution. When the extenſion of the Roman empire rendered it neceſſary to prolong the military ſervices of the citizens, until at length the army became a ſeparate and diſtinct body from the civil members of the ſtate, it was employed as an inſtrument, in the hands of aſpiring individuals, to ſubdue the liberties of their country. The freedom, which was eſtabliſhed in the different ſtates of Europe, after the fall of the Roman empire, had expired, when the military became independent on the civil authority [6]. The recent and domeſtic examples of the uſurpation of Cromwell, and of the reſtoration of monarchy by Monk, were peculiar warnings to England, that neither the regulations of government, nor the ſenti-

[6] It may be aſſerted, that this argument is happily confuted by our own experience. The army of Britain has been gradually increaſing for more than a century, and yet no injury to liberty has ariſen from it, nor indeed is any danger apprehended. This very circumſtance may be ſpecified among the pleaſing effects of the revolution; it has produced a remarkable and happy change on the character of military men. It not only introduced immediate improvements into our conſtitution, but planted the ſeeds of expanding freedom; the liberal ſentiments, which are the fruits of theſe ſeeds, have now pervaded every rank and order of ſociety. The idea of a ſeparation, or an interference of intereſts, between the civil and military profeſſions, is now extinguiſhed. Among the latter we find the moſt correct views of our conſtitution, and the moſt ardent enthuſiaſm for the preſervation of it.

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ments and habits of the people, could prove any defence againſt the ambition of individuals, aided by the obedience and affections of well-diſciplined troops. CHAP. XIX. 1697.

To what particular cauſe are we to aſſign the pre-eminence of England, and its preſervation of a free conſtitution, while nations, formerly in the ſame political ſituation, were bound by the fetters of deſpotiſm? To its inſular ſituation, evidently, which ſuperſeded that augmentation or uninterrupted eſtabliſhment of military force, neceſſary to protect continental nations from the invaſion of contiguous enemies, or which invited them, in their turn, to an immediate and convenient extenſion of territory. Theſe local advantages of England ſtill ſubſiſted, and were held forth as a ſufficient argument for oppoſing the increaſe and maintenance of a land force, proportionate to what had been adopted by its natural enemies upon the continent. A national militia, with ſome improved regulations, might, it was aſſerted, at a ſmaller expence, and without danger to the conſtitution, anſwer all the purpoſes of a defenſive and righteous war [7].

The arguments, in ſupport of a ſtanding army, reſted entirely upon the plea of neceſſity; nor was it ſuppoſed, that any perſon, however well convinced of the propriety of the meaſure, in the preſent circumſtances of the nation, either meant to conceal the inconveniences attending it, or to vindicate its perpetuity. While ſurrounding nations were augmenting their forces, England, by reducing hers, might not only loſe her weight in the political ſcale, but her conſtitution and inter- Arguments againſt it.

[7] Ralph, vol. ii. Life of William, vol. iii.

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nal proſperity would be expoſed to the moſt imminent danger from the attack of foreign enemies. The ancient hatred, between the Engliſh and French nations, ſharpened by the recent injuries of an expenſive and bloody war, and by perſonal animoſity between their preſent ſovereigns, was now more acute than had been known, ſince the time that the former had relinquiſhed her conqueſts and fiefs on the continent. The improvement and increaſe of the French fleet, experienced in the late war, rendered them always prepared for naval hoſtilities; while a ſtrong party in England, attached to the abdicated king, and her defenceleſs ſtate, ſhould the army be diſbanded, would invite her foreign and domeſtic foes to invaſion and inſurrection, almoſt with the certain proſpect of ſucceſs. The dangers, ſo much apprehended, might be entirely removed, by ſubjecting the military to a conſtant and ſtrict dependence on the civil power. The number of troops might be reſtricted to ſuch a proportion as was barely ſufficient for the defence of the nation, and retained only for a ſhort time, when it was hoped, that the circumſtances of Europe might ſafely admit of their being diſmiſſed [s].

Reaſons for the king's reluctance to the diſbanding of the army.

It is not ſurpriſing, that the king entered into the diſcuſſion of this queſtion, with more anxious and undiſguiſed ſolicitude than what ſeemed conſiſtent with his uſual reſerve and prudence. His domeſtic ſituation, at an early period, directed the application of his genius to war, and inured him to military habits; his political principles, and his diſtinguiſhed talents, raiſed him to the

[s] Ralph, vol. ii. Life of William, vol. iii. Publications of the Times in the State Tracts, and Somers' Collections.

illuſtrious

illuſtrious ſtation of being the champion of the liberties of Europe. His aſcending the throne of England did not ſo much gratify a ſelfiſh paſſion for power and fame, as it did the liberal enthuſiaſm of the patriot, by adding the pecuniary and warlike aid, of an opulent and mighty nation, to a confederacy formed for the defence of civil and religious liberty. After eight laborious campaigns, he had humbled the ambition of France, eſtabliſhed the liberties of Europe, ſecured a crown to himſelf, and a free conſtitution to England; but, if his army were diſbanded, all was undone. The projects, the toils, the ſucceſs, of his whole life, would be fruſtrated. The death of the king of Spain was approaching, and would be followed by a controverted ſucceſſion. Should any one of the princes of France prevail by the right of blood, the whole power of that empire muſt become obedient to the direction, and ſubſervient to the ambition, of Lewis. The barrier of Holland would be no longer ſecure; the revolution-eſtabliſhment in England would be precarious; and the liberties of Europe brought to the extreme of danger. Beſides, the feelings of William, as a ſoldier, muſt have been deeply intereſted for the many brave companions of his dangers and his victories, who were not only to be degraded from their dignity, but deprived of the proviſion, which was neceſſary for their reſpectable ſubſiſtence in the moſt private and retired ſituation.

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The zeal of the king for maintaining a large ſtanding army, founded upon theſe arguments, was at length announced in the moſt public manner, by his ſpeech at the opening of another ſeſſion of parliament. He told them, that the circumſtances of affairs were ſuch, that he thought

Meeting of parliament. 3d Dec.

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thought himſelf obliged to declare his opinion, that England could not be ſafe without a land-force.

The foreſtalling, in this manner, an opinion upon a queſtion ſo ambiguous and controverted, awakened a jealouſy of the influence of the court, and gave an edge to the keenneſs of thoſe, who, either from the influence of principle or faction, were inclined to oppoſe it.

Both houſes addreſſed the king in high terms of reſpect and compliment; but, at the ſame time, general and reſerved as to the point, upon which he was moſt anxious to obtain their approbation [9]. In the courſe of the debates upon this ſubject in the houſe of commons, ſome animadverted upon certain expreſſions of his majeſty's ſpeech as too poſitive and overbearing; and a great majority intimated their diſapprobation of his ſentiments, by coming to a reſolution, without a diviſion, of paying off and diſbanding all the troops which had been raiſed ſince the year one thouſand ſix hundred and eighty [10]. The friends of adminiſtration moved, in vain, that the queſtion might be recommitted. With as little ſucceſs they propoſed, that directions ſhould be given to the committee of ways and means for providing a ſupply of five hundred thouſand pounds for the guards and garriſons. The deſign of retaining, under this deſcription, a reverſion of the army, was palpable; and, in order to defeat it, an amendment was added, that the motion ſhould be purſuant to the vote of the houſe, on the eleventh of December, which ne-

Reſolutions of the commons to diſband the army.

[9] Journ. Lords, 6th; Journ Commons. 7th December.
[10] Journ. Commons, 11th December.

ceſſarily

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ceſſarily reduced the army below the number of eight thouſand men [11].

1697. Various pretexts of the king for not complying with it.

The king had recourſe to various apologies and pretexts to elude or retard the execution of a meaſure, which could not be averted by ſecret influence, or the force of argument. He complained, that by diſbanding all the men raiſed ſince the year one thouſand ſix hundred and eighty, the defence of the nation would be thrown into the hands of the old tory troops, whoſe principles and loyalty were ſuſpicious [12]. Several regiments were tranſported into Ireland, and in ſome the privates only were diſbanded, while the officers were retained. The want of money, ſufficient for diſcharging the arrears of pay, ſerved as an apology in anſwer to the addreſſes and remonſtrances of the commons, ſtill urging compliance with their vote till the ſeſſion was cloſed [13]. The king fondly hoped, that, by his influence in a new parliament, or by the occurrence of political events favourable to his ſyſtem, he might be juſtified for maintaining a larger force than what was warranted by conſent of parliament [14].

The civil liſt augmented.

But, though the commons were inflexible upon the point of diſbanding the army, they ſeemed

[11] Journ. Commons, 8th January, 1698.

[12] Ralph, vol. ii. p. 768.

[13] Journ Commons, 28th May: 1ſt and 17th June.

[14] The jealouſy of the nation, in the courſe of theſe proceedings, was inflamed by the large proportion of foreign troops in the pay of England. The king kept one troop of horſe, conſiſting of 220 men, and four battalions of body guards, conſiſting of 2670 men, all Dutch. Two regiments of dragoons, amounting to 1400, and three of foot of 3000, were entirely compoſed of French refugees. Theſe regiments were all conſidered as perſonally attached to William, and devoid of all zeal for the liberty and intereſt of the nation.

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desirous to sooth the king, by their liberality in augmenting his private revenue. Seven hundred thousand pounds were voted for the civil list during his majesty's life, and the favour was enhanced, by being ascribed to a sense of gratitude for the eminent services he had done to the nation [15]. At the same time, this increase of revenue was understood to be burdened with the payment of fifty thousand pounds for the jointure of James's queen, and the expences of the duke of Gloucester's household [16]. The other supplies were granted with a discreet liberality, and appropriated with a just arrangement to the several claims, which depended upon the faith of parliament.

Resolutions with respect to the public debts.

The national debt at the conclusion of the war, including the arrears of the army and navy, and the subsidies due to foreign princes, amounted to ten millions eight hundred and seventy-six thousand pounds five shillings and one penny halfpenny. This sum, contracted in the course of eight years, and little more than the half of what has been repeatedly raised, in our own days, within the space of one year, was, in the circumstances of the nation at that time, reckoned so enormous, as to render every plan for immediate payment impracticable. The commons therefore with propriety preferred the arrears due to the army and navy, and raised supplies sufficient to discharge them within the year one thousand six hundred and ninety-eight [17]. In order to soften the complaints of the reduced army, they voted half-pay to the commissioned officers, four-

[15] Journ. Commons, 21st December 1697.
[16] Burnet, 1698.
[17] Journ. Commons, 1st February, 10th March, April, May, passim.

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teen days ſubſiſtence to every foot ſoldier and non-commiſſioned officer, and ſix days pay to every trooper and non-commiſſioned officer of dragoons [18]. The illiberal jealouſy of the nation, however, confined this generoſity to thoſe officers who were his majeſty's natural born ſubjects of England. The accumulated ſums, voted for the ſupplies this ſeſſion, amounted to four millions eight hundred and fifty thouſand one hundred and ſeventy-four pounds five ſhillings.

Eſtabliſhment of a new Eaſt India company.

The whigs availed themſelves of their ſuperiority to ſtrengthen their future intereſt, by eſtabliſhing a new Eaſt India company [19]. The affairs of the Eaſt India company had been introduced in many preceding ſeſſions, but were not materially connected with the intereſt of parties, nor did they produce any regular influence upon the political ſituation of the kingdom. From this period till the year one thouſand ſeven hundred and one, when the two companies were incorporated, the attachment of members of parliament to the one, or other, of theſe, became a criterion of their principles and connexions. The friends of the new company uniformly enliſted under the banner of the whigs, and the friends of the old company under that of the tories. While the latter uſed their endeavours for thwarting a meaſure, which was to throw ſo great a proportion of commercial influence into the hands of their antagoniſts, they appeared, at the ſame time, to ſtand forth as advocates for the honour of the crown and the juſtice of the nation [20]. In con-

[18] Journ. Commons, 1ſt February, 10th March, April, May, paſſim.

[19] Journ Commons, 26th May and 25th June.

[20] Lords' Debates, vol. ii. Journ. Commons, 15th June.

ſequence

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ſequence of the old Eaſt India company having obtained a renewal of their charter, many new adventurers had entered into a partnerſhip in their trade, and the property, of more than a thouſand families in the kingdom, was veſted in Eaſt India ſtock. Beſides former expenditures, for which the proſperity of their trade might be ſuppoſed a ſufficient compenſation, a million had been lately diſburſed in new fortifications, for their ſecurity in India, which could be refunded in no other way but by a monopoly, in terms of their charter.

Theſe arguments, though deeply founded in juſtice, were over-ruled by the liberal aid which the new company had offered to government; and to palliate the oppreſſion of the meaſure, it was contended, that the king had no power to grant a monopoly without the conſent of parliament, and that he had, in the charter, reſerved the power of recalling it, upon giving them notice three years before-hand [21].

If the whigs, in this, as well as in the other ſeſſions of parliament, diſcovered great liberality in granting ſupplies, and ingenuity in finding the means of raiſing them, their merits, at the ſame time, were tarniſhed, by ſoliciting and obtaining exorbitant grants and penſions for themſelves. The forfeitures in Ireland had already furniſhed them with overflowing treaſures, and, if left to the diſpoſal of the crown, promiſed

[21] The ſubſcribers to the new company obliged themſelves to raiſe two millions for the government, upon the condition, that they were to receive eight per cent. for their money, and enjoy an excluſive right of trading to the Eaſt Indies; the old company being allowed that privilege no longer than to the year 1701.

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an inexhauſtible fund for gratifying the avarice of their leaders, and ſupplying the neceſſities of their friends. To defeat this proſpect, their opponents brought in a bill for vacating all grants of forfeited eſtates in Ireland, from the thirteenth of February one thouſand ſix hundred and eighty-eight, and appropriating them to the uſe of the public [22]. If this motion had been reſtricted, according to the intention of thoſe who ſuggeſted it, to ſuch grants as had paſſed during the preſent reign, it might probably have met with ſucceſs at this time, and might have proved a new occaſion of affront to the king, and of diſappointment to his favourites. But when another bill was brought in, probably not without the inſtigation of the court, to extend the revocation to all ſimilar grants during the two preceding reigns, it collected the united oppoſition of jarring parties, and was thrown out by a great majority.

Motion for appropriating the Iriſh forfeitures to the public ſervices defeated.

The tories made an attempt to hurt the influence and credit of the whigs, by propoſing to impeach Mr. Montague, who was now at their head in the houſe of commons, for having obtained a grant upon one of the forfeited eſtates, for his own benefit, in the name of another perſon; but his diſtinguiſhed talents and uſefulneſs to the nation made a ſuitable impreſſion upon the minds of its repreſentatives, diſappointed the malice of his enemies, and even proved the means of procuring him public honour. The commons voted, that he deſerved his majeſty's favour upon account of his good ſervices to the government [23].

Attack upon Mr. Montague.

[22] Journ. Commons, 7th February.
[23] Ibid. 16th February.

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1698. The dependence of Ireland on England aſſerted.

With whatever violence parties might diſagree upon ſubjects relative to internal policy, yet they cordially united in the ſame ſentiments, with reſpect to the dependence of Ireland on the legiſlature of England, and the plan of retaining her in that dependence. To have propoſed any mitigation of it, or any meaſure for the ſeparate improvement of Ireland, was a ſtretch of liberality, to which, probably, few individuals at that period had attained; or if they had, which no party could have dared to avow, from the fear of loſing popularity, as well as the favour of the court. Hence the houſe of commons unanimouſly expreſſed their indignation againſt a pamphlet, which maintained, that Ireland was not bound by acts of the Engliſh parliament; and alſo againſt ſome late proceedings of the Iriſh parliament, tending to eſtabliſh its independent authority [24]. After reading the exceptionable

[24] This pamphlet, aſcribed to Mr. Molyneux, was entitled, The Caſe of Ireland being bound by Acts of Parliament in England. Several acts of the Engliſh parliament had paſſed ſince the commencement of this reign, binding Ireland, and ſome of them repealing acts of the Iriſh parliament. The tendency of theſe proceedings, and the effects of their dependence on England, began to be ſeriouſly conſidered by the Iriſh; and the above pamphlet was expreſſive of the general ſentiments of that nation. Their parliament, entering into the ſame views, tranſmitted to the king and council the heads of a bill, which, under colour of giving a ſanction to the acts of the Engliſh parliament, was really meant to invalidate its authority; and which might have been uſed afterwards as a precedent for excluding it entirely. The commons, therefore, pointed their cenſure jointly againſt the book and the parliament, by reſolving, that the book was of a dangerous tendency, and that encouragement had been given to the inflammatory poſitions contained in it, by a bill, entitled, an Act for the better Security of his Majeſty's Perſon and Government, tranſmitted under the ſeal of Ireland, whereby an act made in England was pretended to be re enacted by an Iriſh parliament. See Strictures on the State of Ireland, printed with De Foe's Hiſtory of the Union.

paſſages

paſſages of the pamphlet, they reſolved, that it was of dangerous conſequence to the crown and people of England; addreſſed the king to take all neceſſary care, that the laws reſtraining the parliament of Ireland be ſtrictly obſerved; and to diſcountenance every meaſure tending, in any degree, to leſſen its dependence on England [25]. This arbitrary ſyſtem, concerning the ſiſter kingdom, they ſeconded and ſupported, by a meaſure which deeply affected her internal proſperity, when it ſeemed to interfere with that of England. For, upon complaints that the woollen manufacture was carried on in Ireland, they addreſſed the king, that he would enjoin all employed by him there, to uſe their utmoſt diligence for preventing the exportation of wool, unleſs it was brought into England; and for diſcouraging the woollen, and increaſing the linen manufacture [26].

Diſſolution

The king put an end to this ſeſſion on the fifth, diſſolved the parliament on the ſeventh, of July; and ſummoned a new parliament to meet upon the twenty-fourth of Auguſt.

and character of the third parliament of William.

Reviewing with impartiality the proceedings of the third parliament of William, we muſt allow that it is entitled to no ſmall ſhare of praiſe, not only on account of the beneficial meaſures which it adopted, but on account of the uncommon difficulties which it ſurmounted, in order to carry them into effect. The ſucceſsful plans, purſued in the firſt ſeſſion for extricating the nation from the great pecuniary diſtreſſes in which it was involved, exhibit examples of ingenuity, reſolution, and perſeverance, which reflect the higheſt

[26] Journ. Commons, 21ſt May; 22d, 27th, and 30th June.

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honour upon thoſe who deviſed and conducted them [27].

1698. Some uſeful ſtatutes were likewiſe enacted, for preventing fraudulent bankruptcies and abuſes in privileges, and for regulating and extending the trade of the nation. But what, above all, muſt render the memory of this parliament precious to every friend of humanity and freedom, are its excellent amendments and regulations with reſpect to the laws of treaſon [28].

During the continuance of the third parliament, the whigs retained moſt of the miniſterial offices, and ſucceeded in every meaſure in which they were united. In the queſtion about diſbanding the troops, they ſeparated; and therefore it was carried againſt their leaders, as well as againſt the inclinations of the court. Lord Sunderland was at this time conſulted by the king in private, more than any of his Engliſh ſubjects. To his inſtigation the plan of maintaining a ſtanding army was aſcribed; and ſo general an odium purſued him, that he found it neceſſary to reſign his office of chamberlain, in order to evade the public diſgrace of parliamentary cenſure [29].

26th Dec. 1697.

Partial change in adminiſtration.

Sir William Trumbull was removed from being ſecretary of ſtate, and Mr. Vernon, who had great experience in buſineſs by having been employed under the duke of Shrewſbury, was ap-

[27] Drake's Hiſtory of the laſt Parliament.

[28] Ibid.

[29] Burnet, 1698. Somers, Shrewſbury, Portland, Oxford, and Montague, were, at this time, united, to oppoſe the influence of Sunderland in the cabinet. A ſincere friendſhip, however, afterwards ſeems to have taken place between Somers and Sunderland. See Letters in Hardwicke's Collection, vol. ii. n 7.

pointed

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pointed to that office. This change was considered as an indication of the declining influence of the earl of Portland, to whom sir William Trumbull was affectionately devoted. It was believed that lord Sunderland and Mrs. Villiers, a lady to whom the king shewed some partiality, used their endeavours to alienate him from Portland, while the frank manners of his first page and secretary Van Keppel, now earl of Albemarle, gained upon the courtiers, and rendered him a more agreeable companion to his master in hours of relaxation. It is evident, however, from the important services in which the king continued to employ the earl of Portland, that he still entertained a very high esteem of the capacity and faithfulness of that nobleman; for he was sent ambassador to France soon after the establishment of peace. He was instructed to urge the removal of king James from St. Germains, and to solicit indulgence for the protestants in France; in neither of which he was successful. It is probable, that the principal object of his embassy was to enter into overtures concerning the partition of the dominions of Spain, which were soon after agreed upon between William and Lewis [30].

1698. 5th Dec. 1697.

The earl of Portland sent ambassador to France. 10th Jan.

From some incidents, which happened after the rise of parliament, it was evident that a misunderstanding still subsisted between the king and the princess Anne. He controlled her inclinations in the appointment of tutors to her son, the duke of Gloucester, and reluctantly yielded, for the sake of decency, to her choice of the inferior officers of his household [31].

[30] Compare De Torey, vol. i. p. 26. with Kennet, vol. iii. p. 754.

[31] Burnet, 1698.

During

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1698.

During the interval of parliament, William made a viſit to Holland, where he devoted his time to important negociations, the account of which I defer till the period when they tranſpired, and became the ſubject of public diſcuſſion.

The whigs prevail in the elections.

In the competition for elections, the whigs were ſupported by the intereſt of the court, the new Eaſt India company, and the ſtock-holders, who now formed a very numerous and powerful party in the nation. The weight of the landed intereſt, on the ſide of the tories, was not ſufficient to balance theſe advantages; and the majority in the new houſe of commons favoured the whigs.

Though the king had taken ſecret meaſures for preſerving the peace of Europe, by the firſt partition treaty, yet he was ſenſible that the ſucceſs of them, and the adherence of Lewis to the ſtipulations he had made, muſt depend upon the military force of England. This therefore was the principal object which he recommended to parliament, aſſembled for the diſpatch of buſineſs on the ninth of December one thouſand ſix hundred and ninety-eight.

The fourth parliament meets.

The army farther reduced.

The commons immediately voted, that all the land forces, exceeding ſeven thouſand, ſhould be paid off and diſbanded [3·]; a meaſure not leſs mortifying to the king, than the language and arguments which accompanied every previous debate connected with it. His conduct in maintaining an army, contrary to the reſolutions of laſt parliament, was ſeverely cenſured: his attachment to the Dutch; his frequent viſits to the continent; his predilection to a foreign intereſt, were arraigned with bitterneſs and acrimony. Intimidated by the violence of oppoſition, the

[3·] Journ. Commons, 17th December.

friends

friends of the king ſtood ſilent, and ſeemed to abandon him in the moment of extreme diſtreſs. His miniſters were afraid to propoſe any ſcheme of mitigation or compromiſe. The cenſorious ſpirit of the debate was transfuſed into the reſolution which the commons adopted; and it was determined, that the army ſhould, for the future, conſiſt entirely of his majeſty's natural-born ſubjects [33]. After an hard ſtruggle with pride and inclination, the king aſſumed a compoſed countenance, and gave his conſent in perſon to the bill for diſbanding the army [34]. The thanks which he received from both houſes, for his acquieſcence in this meaſure, encouraged him to prefer a modeſt, but earneſt application to the commons, that ſome method might be deviſed for retaining the Dutch guards in his ſervice [35]. This meſſage only ſerved to aggravate his mortification, and to enhance the triumph of oppoſition, by producing an addreſs, which, under the form of an admonition, obliquely upbraided the king with the breach of his promiſe; for he was reminded of the words of his declaration, that all foreign troops ſhould be ſent back after the ſettlement of the government [36]. The diſbanding the army might be conſidered as a patriotic meaſure by thoſe who promoted it; but the refuſal of any indulgence to the affections of the prince, when the object was natural and honourable, can only be imputed to the ſtubbornneſs and aſperity of faction. The affront made a deep impreſſion on his mind. Agitated at firſt by vexation and reſentment, he reſolved to aban-

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[33] Journ. Commons, 17th December.
[34] Burnet, 16,8.
[35] Journ. Commons, 18th March.
[36] Ibid. 20th March.

don

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don the government of an ungrateful people, and to ſpend the remaining part of his life in Holland. The entreaties of his friends, and the calm ſuggeſtions of reaſon, reſtrained the dictates of paſſion, produced a prudent ſubmiſſion to neceſſity, and ſaved the nation from confuſion and anarchy [37].

The navy augmented.

The fears of thoſe who agreed with the king, in thinking that England was too much expoſed by the reduction of the army, were in ſome meaſure removed, by an augmentation of the naval eſtabliſhment. Fifteen thouſand ſeamen were voted for the ſervice of the year, and the ſum of one million four hundred and eighty-four thouſand pounds was granted, in the courſe of this ſeſſion, for the maintenance of the fleet, diſbanding the army, and other expences of government [38]. This ſeſſion of parliament ended on the fourth of May one thouſand ſix hundred and ninety-nine.

Partial change of the miniſtry in favour of the tories.

The many evidences of the declining influence of the whigs, which had lately occurred, induced the king to transfer a conſiderable ſhare of executive offices into the hands of the tories. The earl of Jerſey was made ſecretary of ſtate, in the room of the duke of Shrewſbury; the earl of Pembroke ſucceeded the duke of Leeds as preſident of the council, and lord Lonſdale the earl of Pembroke as privy ſeal; Mr. Montague, againſt whom the tories diſcovered great perſonal animoſity, quitted the treaſury, and was ſucceeded as chancellor of the exchequer by Mr. Smith, and as one of the lords of the treaſury by

[37] Letter of king William to Heinſius, Hard. Col. vol. ii. p. 362. and note at bottom.

[38] Journ. Commons, 18th February, and March, April, paſſim.

Mr.

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Mr. Hill. This change of adminiſtration did not anſwer the king's expectation, by ſmoothing the current of public buſineſs. The zeal of the whigs for his ſervice abated upon every conceſſion to their antagoniſts, who grew more bold in oppoſition from the proſpect of their approaching aſcendency.

Second ſeſſion of the fourth parliament.

The king met the ſecond ſeſſion of the fourth parliament on the ſixteenth of November one thouſand ſix hundred and ninety-nine. He began his ſpeech with obſerving, that their common intereſt required a farther proviſion for the defence of the kingdom; and after recommending to the commons, to make good the deficiencies of the funds, and to diſcharge the debts contracted in the courſe of the war, he concluded with theſe words: "*Let us act with confidence in* "*one another*, which will not fail, by God's "bleſſing, to make me an happy king, and you "a great and flouriſhing people."

However unexceptionable theſe expreſſions, or the ſentiment conveyed by them, yet they were made a handle of cenſure and reproach againſt the miniſtry. The commons, under the name of an addreſs to the king, preſented a remonſtrance, complaining that it was their misfortune, that, after the ample proviſion made for his ſecurity, any miſtruſt of their affections ſhould ſubſiſt; and that it would conduce to the *continuance and eſtabliſhment of their mutual confidence*, if he would ſhew marks of diſpleaſure towards all who miſrepreſented their proceedings [39]. This was a prelude to a more open and direct attack upon adminiſtration; with a view to which all the meaſures of oppoſition, in the courſe of this ſeſſion, were concerted.

[39] Journ. Commons, 1ſt December.

Their

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Meaſures of oppoſition directed againſt the whig miniſters.

Their firſt attempt was founded upon a charge againſt captain Kid, who, having been diſpatched by miniſtry to ſuppreſs the pirates upon the American coaſts, betrayed his truſt, and, to the diſgrace of his employers, committed various piracies upon the Engliſh and foreign ſhips in the Eaſt Indies. The duke of Shrewſbury, the earls of Romney and Oxford, lord Somers, and ſir Edward Harriſon, had agreed to advance contributions for fitting out Kid, under the condition of receiving an adequate proportion of the profits ariſing from the captures of piratical ſhips. Partners in his ſucceſs, a ſpecious opportunity preſented itſelf to the enemies of adminiſtration, for conjoining them in that guilt, of which he was now convicted [40]. The atrocity of the crime, without reſpect to evidence, contributed to blacken the reputation of thoſe to whom it was imputed. To accompliſh their public diſgrace, it was moved in the houſe of commons, that the letters patent, granted to the earl of Belmont and others for piratical goods, were diſhonourable to the king, againſt the law of nations, and the ſtatutes of England, invaſive of property, and deſtructive of commerce [41]. As it appeared, upon inveſtigation, that Kid had been recommended to miniſtry, by the ſtrongeſt atteſtations of his integrity, and of capacity for the buſineſs intruſted to him, and as the commiſſion granted to him ran in the common form, the motion was rejected by a great majority.

[40] Kid was apprehended, upon his return to New England, by the earl of Belmont, governor of New York, who had been chiefly inſtrumental in recommending him to the miniſtry. He was ſent to England, tried, condemned, and executed.

[41] Journ. Commons, 4th Dec. Tindal, vol. iv. p. 23. State Tracts, T. W. vol. iii. p 240.

Motions,

Motions, in the ſame ſpirit of aſperity and party reſentment, for addreſſing his majeſty to diſmiſs biſhop Burnet from being preceptor to the duke of Glouceſter; and to remove lord Somers from his preſence and counſels for ever, were only the occaſion of freſh diſappointment to the tories [42].

and perſonally againſt the king.

Other meaſures of oppoſition, more directly levelled againſt the perſon and inclinations of the ſovereign, met with better ſucceſs, and increaſed the popularity and triumph of the party which moved them.

Reduction of the navy.

The conſolation which the king derived laſt ſeſſion from the augmentation of the navy, in compenſation for the reduction of the army, was now denied him; and when the ſupplies for the ſervice of the year were granted, only ſeven thouſand ſeamen were voted [43].

Revocation of the royal grants in Ireland.

But the affair which moſt deeply affected the king, was an act for reſuming the Iriſh forfeitures [44]. His right to diſpoſe of them was not

[42] Journ. Commons, 13th Dec. 10th April.

[43] Ibid. 21ſt December.

[44] With a view to this meaſure, commiſſioners had been appointed, in the preceding ſeſſion, to inquire into the value of the Iriſh forfeitures, and had reported them to amount to one million and half; though, upon farther inveſtigation, it appeared that they were greatly over-rated. Journ. Commons, 15th Dec. Tindal, vol. iv. p. 27.

In anſwer to the objection againſt the bill, from its encroachment upon prerogative, it was urged, that his majeſty had aſſured both houſes, 1691, that he would not make any grant of the forfeited lands in Ireland, till there ſhould be an opportunity of ſettling that matter in parliament Although the king's friends inſiſted that he was not guilty of any breach of promiſe, becauſe that parliament had omitted many opportunities of ſettling this buſineſs; yet others were of opinion, that he ought not to have taken any ſtep in the diſpoſal of the forfeitures, without the conſent of a future parliament. Ralph, vol. ii. p. 841.

only

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only overruled, but his honour was wounded, by the rejection of a clauſe for reſerving a third part of them to be beſtowed by him, as the reward of eminent ſervices to the nation. In order more effectually to prevent any oppoſition to this bill in the houſe of lords, it was conſolidated with that of the ſupply for the fleet and army, and ſent to the upper houſe at a late day of the ſeſſion [45]. From theſe conſiderations, the king, though with reluctance, found it expedient to reſtrain the oppoſition which it encountered, from motives of perſonal reſpect to him; and confirmed it by his aſſent on the twenty-third of May.

The cuſtomary licence of political aſſociations allows to every party, when it happens to be in oppoſition, a certain latitude in waywardneſs and contention, which it may indulge, without loſing all credit for integrity and patriotiſm. If the meaſures, purſued in the courſe of this ſeſſion, had been intended to produce no other effect, than to thwart the inclinations of the king, and to undermine the credit of his miniſters, though perhaps in ſome inſtances they were neither ſtrictly juſt nor expedient, yet would they not have brought upon the authors of them any deeper ſtain, than what is contracted almoſt by every party fretted with depreſſion and diſappointment. But when the violence of oppoſition precipitated them into a meaſure, which breathed the ſpirit of perſecution, and entailed a laſting diſgrace upon the Britiſh legiſlature, it cannot be recited, by any friend to liberty and his country, without unaffected deteſtation and abhorrence.

[45] Journ. Commons, 7th March, 2d April. Journ. Lords, 4th April. Lords' Debates, vol. ii. p. 15.

Such

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1700. Severe act againſt Roman catholics.

Such was the ſpirit and tendency of a bill, now introduced into the houſe of commons for preventing the growth of popery. It required, that all perſons, educated in the Roman catholic religion or ſuſpected to be of it, who ſucceeded to any eſtate, ſhould take the oaths of allegiance and ſupremacy, and the teſt, as ſoon as they arrived at the age of eighteen; and if they did not, their eſtates were to devolve to the next proteſtant heir. All popiſh prieſts were to be baniſhed, and adjudged to perpetual impriſonment if they ſhould again return into England; and the reward of one hundred pounds was to be allowed to ſuch perſons as ſhould diſcover and convict any of them [46].

An unfortunate coincidence of circumſtances united perſons, of different parties and ſentiments, in the ſupport of this bill: it paſſed unanimouſly in the houſe of commons, and by a great majority in the houſe of lords. The return of many Roman catholic prieſts into England, after the peace of Ryſwick, and their imprudence, by appearing in public and attempting converſions, excited a jealouſy of the king's having ſecretly conſented to indulgences, inconſiſtent with the ſafety of the proteſtant religion. An apprehenſion of the growth of popery generally prevailed; and ſeemed to derive confirmation from facts, ſet forth in a petition to the commons, by the clergy of Lancaſter, praying, that ſome effectual method might be uſed for preventing the inſolent behaviour and attempts of popiſh prieſts [47]. The influence of Roman catholic proprietors, in

[46] Journ. Commons, 7th February; 12th and 14th March. Journ. Lords, 18th March.

[47] Ibid. Burnet.

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the courſe of the late elections, had infuſed a rancour into the breaſts of individuals, againſt whom it had been exerted, which now diſcharged itſelf under the maſk of religious zeal. There were a great many perſons, in both houſes, too much diſpoſed to eſpouſe every meaſure calculated to increaſe the uneaſineſs, and injure the reputation, of the king; and to ſuch baſe purpoſes this bill appeared excellently adapted. From the warm and ſteady attachment of William to the principles of toleration, they were perſuaded that he never would conſent to a meaſure founded in bigotry, and fraught with oppreſſion. But ſhould it be obſtructed by him, his principles would be brought under ſuſpicion; and he muſt forego all the merit he had acquired as the ſaviour and guardian of the proteſtant religion.

Reflections.

The embarraſſed ſituation of the king, the malignity of his enemies, and the depreſſion of his ſpirits, all furniſhed matter of apology for his acquieſcing in this bill. But there is not any perſon, moved by a juſt reſpect for his memory, and the honour of Britain, who can heſitate to ſay what he would have wiſhed him to have done, in this hard conflict between expediency and virtue. Had he firmly withſtood the ſpirit of perſecution, at the hazard of his repoſe and his crown, by uſing his negative to prevent a meaſure ſo cruel to individuals, and ſo reproachful to the legiſlature, he would have attained a luſtre of character, which, though intercepted by the prejudices of the times, muſt have been more permanent, than that which is acquired by the moſt brilliant atchievements of the general, or the ableſt negociations of the ſtateſman [48].

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[48] It is truly lamentable to obſerve, how much the ſpirit of party often contradicts the pure deciſions of cool judgment, and

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The intereſt of the whigs, it has been obſerved, had been declining ſince the end of the war, and the king had been perſuaded to bring many of the tories into office after the adjournment of parliament. From the general tenor of the meaſures purſued in the courſe of the ſecond ſeſſion, it did not appear, that adminiſtration had acquired any acceſſion of vigour, or the king any additional influence, from the experiment ſo far as it extended. The tories now found a favourable opportunity for puſhing their pretenſions to the excluſive poſſeſſion of miniſterial offices. Though the reſumption of the Iriſh forfeitures, in the firſt inſtance, infringed the influence and wounded the honour of the king, yet the intereſt of particular members of adminiſtration was alſo deeply affected by it, and other meaſures of oppoſition were directly levelled againſt the leaders of the whigs. Lord Somers was particularly the object of reſentment, and often attacked by the motions of the tories in the houſe of commons [49]. Hence it was plauſible to aſcribe the contentious oppoſition, of which the king complained, to an averſion for his miniſters,

Addreſs and inſinuation of the tories for prevailing with the king to bring them into power.

and counteracts the generous feelings of the heart. Biſhop Burnet, who glories in being the friend of toleration, and who, as often as he has occaſion to deliver his ſentiments upon that ſubject, attains to an elevation of mind ſuperior to the age in which he lived, yet, in the diſcuſſion of this bill in the houſe of lords, he defended it, not only on the grounds of expediency, but juſtice. Burnet, 1699.

[49] Lord Somers had attracted the perſonal reſentment of the tories more than any of his partners in adminiſtration, becauſe he had adviſed the king to turn out of the commiſſion of the peace thoſe perſons, who refuſed to ſign the aſſociation occaſioned by the conſpiracy againſt him in the year 1696. Many of the tories were excluded and the diſſenters brought in.

and

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and to repreſent to him, that if he could be prevailed upon to diſmiſs them, his affairs would be carried on with ſmoothneſs and ſucceſs [50]. The tories were fortunate in urging theſe repreſentations by ſuch agents, as, from their private connexions and political intereſts, entered into them with zeal; while their perſonal favour with the king diſpoſed him to liſten to them with a favourable ear. The earl of Albemarle, the earl of Jerſey, brother to lady Orkney, and lord Sunderland, who made all parties by turns the dupes of his intrigues, concurred with the tories to bend the inclinations of the king to a change of adminiſtration [51].

Lord Somers removed from adminiſtration.

Their aſſiduous application, under the pretext of anxiety for his intereſt, brought the king, after much agitation, to adopt the reſolution of removing lord Somers from his councils. No miniſter, in the whole courſe of his reign, ſerved him with more invariable attachment, and with greater ability and faithfulneſs, than lord Somers had done. A grateful ſenſe of his ſervices made the king deſirous of diſmiſſing him in the moſt delicate manner, and of making his retirement appear to be the effect of his own choice. A manly reſpect to his reputation, fortified by integrity, as well as a regard to the intereſt of his party, rendered him obſtinate againſt repeated importunities to conſent to a voluntary reſignation, leſt it ſhould be imputed to the impulſe of fear, or the conſciouſneſs of guilt. Lord Jerſey was at length ſent to him to demand the ſeals, and they were ſurrendered with complacency into

[50] Burnet, 1700.

[51] Hardwicke's Collection, vol. ii. p. 139. Cunningham's Hiſtory, vol. i. p. 183.

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his hands. William afterwards diſcovered great compunction for this ſacrifice, which he made to gratify a party, and lamented it at the cloſe of his life [52]. CHAP. XIX. 1700.

The removal of Somers was all the tories could obtain before the king's departure to Holland. He was probably ſtill determined to adhere to his plan, of mixing parties, and of maintaining the ſuperiority of the whigs. Two events occurred, during the receſs of parliament, which introduced a material change into the political ſtate of England, and rendered it expedient, if not neceſſary, to throw the adminiſtration entirely into the hands of the tories. 4th July. Events contributing to a complete change of miniſtry.

By the death of the duke of Glouceſter, the proteſtant intereſt was expoſed to new dangers; for as he was the laſt proteſtant heir in the act of ſettlement, ſo his relation to the exiled family, his birth within the kingdom, and his talents, which were promiſing, united the attachment of every party, and enſured his peaceable acceſſion, at ſome future day, to the throne of England. To thoſe, who diſintereſtedly conſulted the ſafety of the conſtitution, it appeared of the higheſt importance, that the entail of the crown ſhould be extended in the proteſtant line, and that this ſhould be done without loſs of time, before the affections of the people began to fix upon another ſucceſſor, or ſuch political confederacies to be formed, as might afterwards prove too ſtubborn to yield to the authority of a ſtatute, or the true welfare of the nation. Such an extenſion of the act of ſettlement was agreeable to the principles of the whigs, and was their profeſſed deſire. It was impoſſible for them to withhold their concurrence with it, Death of the duke of Glouceſter, 29th July. The importance of extending the proteſtant ſucceſſion.

[52] Cunningham's Hiſtory, vol. i. p. 252.

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when it ſhould come under the diſcuſſion of parliament, without being for ever infamous for inconſiſtency and treachery. Though an oppoſition to the proteſtant ſucceſſion might have been expected from the tories out of power, the whigs ſeem to have been juſtly entitled to the honour of conducting a political tranſaction, which was conſonant to their principles, and neceſſary to the preſervation of that fabric of government which they had erected. There is reaſon, however, to believe, that the whigs, who were barely a match for the tories in any queſtion affecting their political competition, would never have been able to carry a meaſure of the higheſt national conſequence, in oppoſition to their antagoniſts ſeconded by the republican party, which wiſhed that the ſucceſſion might remain indeterminate and controverted. For breaking the joint force of the tories and republicans, no expedient ſeemed more effectual, than to devolve the reins of government into the hands of the former. Whatever meaſures their prejudices might incline them to purſue, yet, when they came into office, the patroniſing the proteſtant ſucceſſion would be found neceſſary to gratify the deſire of the nation, and to retain the power they had acquired.

The ſtate of foreign politics.

A change in foreign politics co-operated, with domeſtic events, to render the preſent ſtate of England eminently critical, and to recommend the plan of conciliating that party, which might be expected to thwart the progreſs of the moſt urgent buſineſs. The death of the king of Spain could not fail, in one way or other, to increaſe the power of France. The only queſtion was, What might be the moſt effectual method of rendering it as little as poſſible conducive to that effect? Deſpairing

pairing of his ability to reſtrain the ambition of Lewis by the awe of war, in the preſent temper of the Engliſh, William had entered into a treaty for dividing the territories of the Spaniſh monarch in ſuch a manner, as ſeemed moſt effectual to diminiſh the advantages, accruing to France from his demiſe. To this treaty the principal members of the whig adminiſtration had been privy, and it was intended by the tories to render it the baſis of their crimination [53]. But under what colour of argument could this be done?—not, ſurely, becauſe it had yielded too little to France. Such a charge would have been an outrage to the prejudices of the people, and would have redounded upon thoſe who brought it forward. It was aſſerted, that it had yielded too much; that the king and his miniſters had been over-reached by Lewis; and that the intereſt of the empire, of the States, and of England, were betrayed.

Death of the king of Spain, 1ſt November.

The juncture of events gave new force to theſe objections, and put to the teſt the ſincerity of the perſons who urged them. The king of Spain died, and left a will, bequeathing his whole dominions to the duke of Anjou, ſecond ſon of the Dauphin. By accepting the will in behalf of his grandſon, Lewis diſſolved the reſtrictions to which he had conſented by the partition treaty. Thoſe, who had cenſured the treaty, could not conſiſtently contend for bringing him back to the performance of engagements contracted by it, and far leſs could they acquieſce in the tranſcendent and more dangerous augmentation of power, transferred to him by the teſtament of Charles.

It was evident, that, if the ſpirit of theſe arguments were purſued, they muſt terminate in de-

[53] See Chapter XX.

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mands and propoſals, which could not be obtained by the influence of negociation, or any bloodleſs means of coercion. Though the king was convinced, in his own mind, of the inevitable neceſſity of a war with France, in order to eſtabliſh ſuch limitations of her power as were eſſential to the independence of Europe, yet he wiſhed that the motion for it might originate with his people, and receive the approbation of every party. As a war, carried on with unanimity, could alone anſwer the purpoſe for which it was undertaken, ſo it was only by aſſigning to the tories the principal departments of adminiſtration, that he could hope to accompliſh this object. The conſiderations and circumſtances recited fully explain the motives, which induced the king to prefer the tories after the ſecond ſeſſion of his fourth parliament.

Diſſolution of the fourth parliament, 20th Nov.

The firſt meaſure he adopted, by the advice of his new miniſters, was a diſſolution of parliament, by which they hoped to obtain ſuch a majority of the repreſentatives as would give ſtability to their victory over the whigs [54].

[54] Before the meeting of the next parliament, lord Tankerville was made privy ſeal; ſir Charles Hedges, ſecretary of ſtate; lord Godolphin, firſt lord of the treaſury; and lord Rocheſter, lord lieutenant of Ireland. The laſt of theſe had now a great ſway over the counſels of the king.

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Expectations of Lewis from the Succeſſion of Spain,---foreſeen with Anxiety by the Confederates.---Circumſtances which inclined Lewis and William to enter into Treaty.---Firſt Partition Treaty,---proves abortive by the Death of the electoral Prince of Bavaria,---Second Partition Treaty.---The Sentiments and Wiſhes of that Nation become more favourable to Lewis.—Death and Will of the King of Spain.—The French King accepts the Will;—his Reaſons for it.—---He takes Meaſures for eſtabliſhing his Grandſon on the Throne of Spain.—The fifth Parliament meets.—The Whigs and the Tories reciprocally upbraid each other with Corruption.---Embarraſſment of William.—Events favourable to his political Deſigns.—A Letter from Lord Melfort communicated to Parliament.—Effects of it upon the Temper of the People, and upon the Parliament.—Extenſion of the Act of Settlement.—Obſervations.—The Partition Treaty unpopular,—and cenſured by both Houſes of Parliament.—Violence,—and Partiality of the Commons in their Proceedings with reſpect to the Partition Treaty.—The Lords offended at the Commons —The People offended.—Kentiſh Petition.—Parliament prorogued.—William acknowledges the King of Spain.—Reaſons for his doing ſo.—Reſolutions of the Commons favourable to the King's Views.---The Nation impatient for War.---The King makes Preparation for it —The grand Alliance.—The Heat and Emulation of Parties render the People more anxious

anxious for War.—Death of James.—His Son acknowledged by the French King,—which is reſented by every Party in England,—and fatal to the Hopes of the Pretender.—Reaſons for the King changing his Miniſters and calling a new Parliament.—The ſixth Parliament of William meets.—Supplies granted.—Bills for attainting and abjuring the Pretender.—Viciſſitudes in the political Sentiments of the Nation ſince the Peace of Ryſwick.---The Wiſhes of the King gratified.---His Death.

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HAVING mentioned the partition treaty, it becomes neceſſary to give a more circumſtantial account of that tranſaction, not only to ſupport the obſervations already made, but to explain the meaſures referring to it, which form ſo conſiderable a part of the hiſtory of the ſucceeding parliament.

Expectations of Lewis from the ſucceſſion of Spain

We have already ſeen, that the exorbitant ambition of Lewis was the cauſe of alarm to all the princes of Europe, and the motive of their union in the league of Augſburgh The undiſguiſed efforts of that ambition upon the provinces of Spain, Holland, and the empire, excited indignation and reſiſtance, which diſappointed his ſucceſs. The extenſion of power and territory, which he expected to derive from the Spaniſh ſucceſſion, carried a more threatening aſpect to the liberties of Europe, not only on account of the ſuperior magnitude of the object, but alſo on account of its being palliated with the ſpecious colours of natural right and juſtice. The languiſhing health of Charles the ſecond of Spain portended a ſhort life, and cut off every hope of heirs from his body. The Dauphin, who was the ſon of Maria Tereſa, eldeſt daughter of Philip the fourth, ſtood firſt in the claim of lineal ſucceſſion to the throne of

Spain, upon the failure of male iſſue. By the ſolemn renunciation of Maria Tereſa, and of her huſband Lewis the fourteenth, ratified in the parliament of Paris, and by the teſtament of Philip the fourth, the ſucceſſion of their iſſue to the kingdom of Spain was ſet aſide [1]. By theſe ſeveral deeds the deſcendants of Margaret, daughter of Philip the fourth by a ſecond marriage, were eſtabliſhed the lawful heirs of the crown and dominions of Spain. Margaret was married to the emperor Leopold, by whom ſhe had a daughter, who was the wife of the elector of Bavaria; ſo that the princeſs, and the electoral prince her ſon, on the failure of iſſue in Charles the ſecond, according to the will of Philip, and the renunciation of Lewis, were the immediate heirs of the crown of Spain. The emperor ſtood next to his daughter and grandſon upon the right of conſanguinity to the royal family [2].

foreſeen with anxiety by the confederacy.

As the claim of ſucceſſion, founded on lineal deſcent, is the moſt obvious and natural, and as Lewis was not likely, notwithſtanding his oath, to part with ſuch an effectual inſtrument for aggrandiſing his family, the members of the confederacy looked forward with anxious forebodings to the death of Charles. From his declining health, that event was expected to happen during the continuance of the war; and it was hoped, that the united force of the confederate

[1] Variations de la Monarchie Françoiſe, tom. iv. p. 216, 217. Notwithſtanding Lewis XIV. having abjured all claim to the Spaniſh ſucceſſion, yet it is aſſerted, that his affections were early directed towards that object, and that his marriage with the eldeſt daughter of Philip IV. was ſuggeſted by Mazarene, as a ſafer and more certain method of gratifying his ambition, than war, or an open invaſion of the territories of Spain, which would have alarmed all Europe. Cunningham, vol. i. p. 4.

[2] Torcy, vol. i. 1697.

powers,

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powers, in the ſcene and habit of action, would over-awe Lewis, and prevent his violating the will of his father-in-law, and his own engagements. The dread of his ambition, if the Spaniſh ſucceſſion ſhould open, after the powers intereſted in oppoſing him were ſeparated and diſarmed, rendered the emperor more backward in conſenting to the peace of Ryſwick; nor can we ſuppoſe, that the king of England, the States, and the princes of Germany, were indifferent to an event of ſuch general importance to Europe [3].

Circumſtances which inclined Lewis and William to enter into treaty.

However aſpiring and faithleſs the French king might be, and however ſpecious his claim of ſucceſſion to an ancient and extenſive kingdom, yet the jealouſy of the European princes, and the condition of his own ſubjects, impoveriſhed and depopulated by the late war, raiſed inſuperable obſtructions to his hopes of obtaining, for his own family, the entire power, and the undivided property, of the Spaniſh monarchy. On the other ſide, William, well aware of the uſurping ſpirit of his rival, and deſirous to prevent the ſmalleſt increaſe of his power, was ſecretly mortified, upon finding himſelf incapable of acting agreeably to the wiſhes of his heart, and the dictates of ſound policy. From his late experience of the temper of the Engliſh nation, from the precipitancy with which all parties demanded the reduction of the army, and their growing averſion to foreign connexions, he could entertain but little proſpect of forming immediate alliances upon the continent, or of obtaining, from his parliament, ſupplies of money and troops for maintaining a ſucceſsful oppoſition

[3] Torcy, vol. i. 1697.

to

to the pretenſions of Lewis, upon the event of a vacancy in the throne of Spain [4]. CHAP. XX. From 1698.

[4] The following expreſſions in William's letters to the penſionary Heinſius, ſtrongly indicate his apprehenſions of the ambition of Lewis, his uneaſineſs from the preſent temper of the Engliſh, and his motives and views for entering into the partition treaty.

"I find your thoughts entirely occupied with the great ſtorm "which ſeems to hang over our heads, by the likelihood of the "king of Spain's death. I think you perfectly comprehend this "affair, and I ſhould conform myſelf alſo thereto. I only wiſh "my power was ſuch as that I could properly ſecond your "hearty ſentiments. As far as I can penetrate into the opinions "of moſt people here, there ſeems to great an averſion to fall "again into war at preſent, that, ſhould France make any kind "of plauſible propoſals of accommodation, they will here be "inclined to accept them, without conſidering much the ſecu-"rity of them; ſo that, in caſe *a war is to be the upſhot of this "buſineſs, I muſt take my meaſures ſo as to bring the nation inſenſi-"bly into it.*" Lord Hardwicke's Collection of State Papers, vol. ii. p. 340.

"I find people begin here more and more to fear the death of "the king of Spain, being perſuaded that it will draw on a war; "to which they, in that caſe, ſeem reſolved; but would contri-"bute little or nothing except to the marine, and leave the war "by land to the republic and the other allies, which they would "not carry through; though, on the other hand, *I ſee no likeli-"hood of bringing the parliament to give money ſufficient to keep ſo "conſiderable a body of troops in the Spaniſh Netherlands, as I had "the laſt war; and without that I ſee no poſſibility of defending "them.*" Ibid. p. 342.

"As the affair now ſtands, I think it lucky that we have no "farther engagement with the emperor about the ſucceſſion; "and it is queſtionable whether the grand alliance ſubſiſts or "not; for I am much afraid, that, in caſe the king of Spain "ſhould now happen to die ſuddenly, we ſhould be obliged to "*come to an accommodation, as I do not ſee how, in the preſent "ſituation, we ſhould ſoon be able to put ourſelves in a condition to "withſtand the too great power of France.*" Ibid. p. 343.

"I confeſs, that, every thing conſidered, it is very queſtion-"able which alternative to chuſe, and to negociate farther "thereon; but this is beyond a doubt, that when theſe offers of "France are public in England and Holland, it *will be difficult "to get them to conſent to a war, in caſe the king of Spain ſhould "happen*

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From the influence of theſe circumſtances and motives, two princes, of oppoſite intereſts and affections, were moulded into the temper of conceſſion and treaty. It was expedient for William to conſent to the augmentation of the power of France in a certain degree, that he might prevent the farther augmentation of it; it was the intereſt of Lewis, to reſtrain the fond propenſions of his ambitious ſpirit, and to realiſe ſomewhat upon terms of compromiſe, rather than to hazard, not only the loſs of new and ſubſtantial acquiſitions, but the interruption of his domeſtic tranquillity, and the ruin of his native dominions, by the precarious fortune of war.

First partition treaty. March.

In the ſpirit of theſe arguments, general overtures, for a treaty about the ſucceſſion of the Spaniſh empire, originated with the court of France, and were firſt propoſed by Meſſrs. Pompone and Torcy, in the name of their maſter, to the earl of Portland, the Engliſh ambaſſador at Paris[5]. Count Tollard afterwards made propoſals on the ſame ſubject to king William, and Monſieur Bonrepos to the States at the Hague, and even ſpecified the particular conditions, upon which their maſter was diſpoſed to enter into a treaty for divid-

April.

" *happen to die now, ſo that meaſures muſt be taken in conſequence.*" Ibid. p. 347.

" Agreeably to this conſtitution, it is impoſſible to get the " parliament to conſent to grant any money on an uncertainty, " or for a future time; ſo that I can do nothing relative to that, " and God knows whether I ſhall not be obliged to reduce more " troops, conformably to the firſt idea of parliament." Ibid.

[5] Hardwicke's Collections, vol. ii. p. 335. 342.

ing

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ing the dominions of Spain [6]. When these were more fully digested and reduced to form, the king communicated them to secretary Vernon by the earl of Portland, and he wrote a letter with his own hand to lord Somers, desiring his opinion and advice upon the subject of them. It is, however, material to observe, that, as the treaty was signed in the name of William, before he received lord Somers's answer, this measure could not be ascribed to the influence of that nobleman, nor to those with whom he consulted upon his having received the king's letter [7].

1698. 15th Aug.

Though

[6] From a critical perusal of the several letters which were written by king William to Pensionary Heinsius, upon the subject of the partition treaty, it evidently appears, that the proposal of it came from Lewis. Hardwicke's Collections, vol. ii. p. 333-4-5, 342. That William entered into it with diffidence, and proceeded with the most cautious steps, and that he was well aware of the inconveniences and dangers which attended it; but that these were outweighed by a conviction of the importance of the advantages, which England and Holland would probably derive from it: that in no stage of the business was he ever surprised or over-reached by the craftiness of Lewis; a reproach, which some of his friends, ignorant of the vouchers lately published with respect to that transaction, have too hastily admitted. Ibid. p. 339. line 12. p 341. l. 19. p. 361. l. 16. &c. To sum up all, in the concise and judicious remark of lord Hardwicke, who has favoured the world with the publication of these letters: "Though the partition treaty ended unfortunately, and dis-"pleased all parties, the disinterested and upright intentions of "king William, in promoting it, are sufficiently apparent from "these papers. Strong sense, and an extensive view of the in-"terests of Europe, particularly those of the countries he go-"verned, are no less discernible, and will do honour to the "memory of a prince, who, with all his defects, deserves the "veneration of every good Englishman." Hardwicke's Collections, vol. ii. p. 333.

[7] The treaty was signed on the 19th of August 1698. Lord Somers's letter was dated on the 28th of August. The subject of the treaty was communicated by lord Somers to the duke of Shrewsbury, lord Oxford, Mr. Montague, and Mr. Vernon; so

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1698. Proves abortive by the death of the electoral prince of Bavaria. 8th Feb. 1699.

Though this treaty proved abortive, by the premature death of the electoral prince of Bavaria, yet every motive, which induced the contracting powers to agree to it, ſtill ſubſiſted, and derived additional force from the political ſituation of France and England. The vigilance and importunity of the queen of Spain, in ſupport of the claim of her brother the emperor, operated, with viſible ſucceſs, upon the temper and counſels of her huſband. While the Germans were admitted into Catalonia, that they might have the advantage of being upon the ſpot when the throne of Spain ſhould become vacant, the French ambaſſador was hardly permitted to converſe with the miniſters upon buſineſs; and was coldly received by the nobility and attendants of the court. The ſtrong diſguſt, entertained againſt Lewis, was aggravated by the news of the partition treaty, which was a mortification to the feeling, and an inſult to the authority, of the Spaniſh monarch. In ſuch circumſtances, it would have been in vain to have entered into competition with the emperor, for the favour of that court, or the future ſucceſſion to that kingdom [8]. At the ſame period, the diſcontents of the Engliſh nation, the unpopularity of the king, and the turbulent ſpirit of his parliament,

ſo that lord Somers's letter, in anſwer to king William's, may be conſidered as containing their joint ſentiments.

The principal articles of the firſt partition treaty were, that the kingdom of Naples and Sicily, with all the places depending upon the Spaniſh monarchy ſituated on the coaſt of Tuſcany, or the adjacent iſles; and likewiſe all places on the French ſide of the Pyrenees, or the other mountains of Navarre, Olava, Biſcay, on the other ſide of the province of Guipuſcoa, ſhould be given to the dauphin, in conſideration of his right. That the crown of Spain, and all the other provinces belonging to it, ſhould deſcend to the electoral prince of Bavaria.

[8] Torcy, vol. i. 1698.

ment, were ſtill increaſing. Not only the army, but the naval eſtabliſhment was reduced: The internal influence of the crown, and the perſonal authority of William, were diminiſhed by that freedom of ſpeech, with which his conduct and meaſures were cenſured by the oppoſition in the houſe of commons; while, in the courſe of debates in both houſes, the name of Lewis began to be introduced with great reſpect; and ſome did not ſcruple to declare it as their opinion, that it was a matter of indifference to England, whether a French or German prince ſhould fill the throne of Spain [9]. Whatever might be the caſe with regard to England, yet, certainly, with Holland the alternative was widely different; and her intereſt, as might be expected, ſtrongly influenced the reſolutions and meaſures of William. A ſecond partition treaty was therefore ſet on foot, ſoon after the death of the electoral prince of Bavaria; and though retarded by the irreſolute, dilatory conduct of the emperor, who reſiſted every invitation to have any part in it, was at laſt ſigned by Lewis, William, and the States [10].

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Second partition treaty.

The French king, we may believe from the circumſtances above mentioned, was no leſs ſincere

[9] Tindal, vol. iv. p. 63.

[10] This treaty was ſigned at London on the 21ſt of February, and at the Hague 25th March, 1700. By it the kingdom of Naples and Sicily was given to the dauphin, and alſo the iſlands upon the Italian coaſt belonging to Spain, the city and marquiſate of Final, and the province of Guipuſcoa. The duchies of Lorrain and Barr were alſo to be adjoined to the kingdom of France, for which the duke of Lorrain was to receive Milan. The archduke Charles was to be heir to the kingdom of Spain and all the provinces belonging to it, out of, and in Europe, with the exceptions above mentioned. Three months were allowed for the emperor to accede to this treaty. The earneſt deſire of Lewis for obtaining Lorrain, ſeems to have been the cauſe of his conſenting to raiſe a ſon of the emperor to the throne of Spain. Hardwicke's Col. vol. ii. p. 366.

in

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in this ſecond treaty, than he had been in the firſt. It was impoſſible to render effectual the ſucceſſion of the dauphin, or any of his family, in oppoſition to the will of Philip the fourth, enforced by England, Holland, and the Empire. So anxious was Lewis to accompliſh this treaty, that he expreſſed great impatience upon William's delaying his ſignature; and, inſtead of forming any ſcheme to over-reach him, was uneaſy leſt he ſhould recede from the terms already agreed to. It is true, at the ſame time, that the former, familiariſed to double dealing, though he ſolicited this treaty with the purpoſe of adhering to it, wiſhed to make it the inſtrument of a ſeparation between England and Germany; but this crafty deſign did not eſcape the alert penetration of William, who guarded againſt it with the wiſeſt precaution [11]. After this treaty was ſigned, a combination of circumſtances reconciled the inclinations of the court and the people of Spain to the ſucceſſion of a ſon of France, and awakened the ambition of Lewis; while, at the ſame time, they undoubtedly tended to extenuate, if not to remove, the charge of his injuſtice and treachery, in departing from the treaty.

[11] The caution and penetration of William appear from the following expreſſions in his letters to Heinſius:

"The greateſt hardſhip that appears to me in this buſineſs, is, "the little reliance to be made on engagements with France; "and her power will be thereby ſo much the more conſiderable, "that ſhe will be at liberty to pay juſt as much regard to the trea"ties as may ſuit her convenience, of which we have had too "much experience." April 1, 1698. Hardwicke's Col. vol. ii. p. 339.

"I am entirely of your opinion, that this intended anſwer of "France is only, by making the negociation public, to preſs us "ſo much the more to a concluſion, without the emperor's in"tervention; and that France's preſent object, according to my "judgment, is to ſeparate us by that means from that party." Sept. 19, 1699. Ibid. p. 378.

The

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The news of the ſecond partition treaty excited a general indignation among the Spaniards. The king was enraged at the contempt and indignity thrown upon him, by the interference of thoſe princes, who had preſumed to divide and parcel his dominions, as appeared moſt convenient for themſelves, without his advice or participation. Every ſubject of Spain felt the ſhame of conſcious degradation, in the approaching maiming and breaking of that empire, of which he was a member. Under this impreſſion, the claim, founded upon lineal deſcent, became more ſtriking and forcible, while wills and renunciations appeared violent infractions of the rights of nature, and the rules of ſucceſſion adopted by every civilized ſtate. The preſervation of the balance of power, the only apology for the officious interpoſition of foreign ſtates, was a principle too refined for popular apprehenſion; and the conſequences of it but little intereſting to thoſe, who, however much the ſecurity of other governments might be advanced by the treaty, were themſelves to ſink in the ſcale of empire. Superiority of ſtrength concurred, with the claim of right, to make the ſubjects of Spain wiſh for the alliance of France; and in proportion as that power had been formidable when directed againſt them, it appeared a more deſirable ſource of protection, and the more capable of averting the diſgrace and ruin, with which they were threatened. The guilt of Lewis, in being acceſſary to this treaty, was alleviated by the moderation he diſcovered, in controlling thoſe ample claims which he was entitled to prefer, under the right of lineal inheritance, and by the rules of common juſtice. From ſuch views, and the feelings which they excited, the reſentment of Spain

General indignation in Spain upon hearing of the partition treaty.

The ſentiments and wiſhes of that nation become more favourable to Lewis.

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Spain was gradually withdrawn from France, and transferred entirely to England and Holland [12].

1700. In the mean while, the count Harrach, the ambaſſador of the emperor at Madrid, talked of the partition treaty in a manner that was not leſs offenſive to the court, than if the emperor had been actually concerned in it. He complained of the injury done to the archduke, and announced threats of revenge, as if that prince had been already ſeated upon the throne of Spain [13]. The queen became now more cold and reſerved to the Germans; their intereſt declined apace, and the merit, which the emperor expected to derive from keeping aloof from the treaty, was effaced by his confident and indelicate anticipation of the crown, and the haughty demeanour of his ambaſſador. The overbearing manners of the Germans in Catalonia became every day more diſguſting to the people; and, at laſt, excited a general averſion from any nearer alliance with a nation, whoſe inſolence and oppreſſion, it was to be feared, would grow intolerable, ſhould one of their princes be exalted to the throne. The council, the nobility, the church, and the lawyers, at length all united in recommending a preference to the claim of France, as moſt conſonant to natural juſtice, and moſt likely to preſerve the unity, the dignity, and the peace, of the Spaniſh empire. The diſtreſs of the king, ariſing from bodily infirmity and diſeaſe, was daily increaſed by the emotions of fear, anger, reſentment, and the fluctuating reſolutions of a weak and diſturbed mind. It ſeemed impoſſible, by any deſtination of his dominions, to gratify all the different reſentments which the treaty excited;

[12] Torcy, vol. i. 1699.
[13] Ibid.

and

and to unite the inclinations of his people, the desire of his queen, and the future glory of his dominions. He consulted theologians, civilians, the nearest relations of the royal family; but still remained wavering and undetermined. A predominant superstition, augmented by the near and awful prospect of death, disposed him to indulge the hope of obtaining mental repose, perhaps, of providing some stock of merit, by surrendering his will to the dictates of the highest sacred authority. He consulted pope Innocent the Twelfth, who prudently gave his sanction to that destination of the territories of Spain, which ensured approbation and success, from the support of all classes of men in that kingdom, and which was most likely to enlarge his ecclesiastical domination [14]. Charles the Second of Spain made a will, on the second of October one thousand seven hundred, bequeathing his whole dominions to the duke of Anjou, second son of the Dauphin, and died on the first of November following.

CHAP. XX. 1700.

Death and will of the king of Spain.

The king of France, with a prudish indifference, affected to hesitate about accepting the will, and at last professed to refer himself to the uninfluenced advice of his council. Independent of such authority, there were not wanting specious arguments for accepting it, and such as certainly rendered the conduct of Lewis, in this affair, more excusable, than if the sole alternative had been his adherence to the partition treaty. But this was not the case. The professed object of the treaty was to maintain the balance of power among the western kingdoms of Europe; and to establish their present peace and future independence. By a clause in the king of Spain's will, the treaty of

16th Nov.

The French king accepts the will.

His reasons for it.

[14] Torcy, vol. i. 169, 1700.

CHAP. XX. 1700.

partition was rendered inadequate to this end, unleſs it had obtained the concurrence of the emperor. For it was expreſsly provided, that, if the king of France declined to take advantage of the will in behalf of his grandſon, the dominions of Spain, undivided, ſhould deſcend to the archduke Charles, the ſecond ſon of Leopold. As he had not acceded to the treaty, there was no bar to his claiming the benefit of the will to his family; and ſuch a claim was incompatible with the plan and articles of the treaty. The balance of power, it was obſerved, would be overſet by ſuch an addition of territory to the houſe of Auſtria: whereas it was aſſerted, that it would not be moved by the ſucceſſion of the duke of Anjou, whoſe family, in the courſe of a few years, naturalized in Spain, would grow as indifferent to the peculiar intereſts of France, as if not a drop of the blood of Bourbon had flowed in their veins. The queſtion now aſſumed a different form; it was not, whether the will of the king of Spain, or the partition treaty, ſhould take place? But it was, whether the archduke Charles, or the duke of Anjou, ſhould ſucceed to the crown and the entire empire of Spain? None of the princes of Europe, except the king of Portugal and the duke of Lorrain, had acceded to the treaty; and therefore were not bound to enforce the obſervance of it, if the parties more immediately concerned ſhould diſagree. Conſidering the irreconcilable politics of the princes, nearly or remotely intereſted in the Spaniſh ſucceſſion, war ſeemed to be unavoidable; and the only alternative, left to the choice of France, was, whether ſhe would adhere to the will, aſſiſted by the whole force of Spain, in caſe it ſhould be controverted or oppoſed by other powers; or whether ſhe would fight againſt the emperor and Spain united, for,

compara-

CHAP. XX. 1700.

comparatively, a ſmall portion of territory. Thus, when the merits of the cauſe were impartially diſcuſſed, it appeared, that there was will againſt will; but the natural and inextinguiſhable claim of hereditary right was entirely on the ſide of France. Lewis even boaſted of his moderation in renouncing the treaty, by which his own dominions would have been extended, rather than to occaſion a war, which would involve all Europe in horror and deſolation [15].

Such was the ſubſtance of the arguments and expoſtulations contained in the memorials, tranſmitted by Lewis and his grandſon to the ſeveral courts of Europe. The emperor declared both againſt the treaty and the will: the States General remonſtrated againſt the meaſures taken by France, for carrying the will into execution; and declined, at firſt, to acknowledge the duke of Anjou as king of Spain, under the pretext of conſulting the ſeveral provinces and cities united with them. To the king of England alone, no immediate notification was made of the acceſſion of the duke of Anjou to the throne of Spain, as if it had been intended to detach the States from his counſels, and to remove the opportunity of his interference, which they knew would prove adverſe to their wiſhes [16].

He takes meaſures for eſtabliſhing his grandſon on the throne of Spain.

In the mean time, the preparations and meaſures of the court of France, for eſtabliſhing the duke of Anjou on the throne of Spain, were carried on with expedition and vigour, and became every day more formidable to their neighbours.

[15] Memorial for his Chriſtian Majeſty, 4th Dec. 1700. Somers's Collection, vol. viii. p. 275.

[16] Some hiſtorians impute this omiſſion to the deſire of the new king of Spain, who, in the zeal of his friendſhip for James, had promiſed that he never would acknowledge any other king of England. Burnet, 1701.

CHAP. XX. 1700.

The new king left France with a ſplendid retinue, and entered into his dominions on the fourth of December one thouſand ſeven hundred. The troops of France were introduced into the Spaniſh garriſons in the Netherlands and Italy; and her fleets were ſent to Cadiz and the Weſt Indies. Lewis entered into treaties with the king of Portugal, the duke of Savoy, the duke of Mantua, and ſeveral of the princes in Germany [17]. He chaſtiſed the Dutch for their indetermined conduct, by making priſoners of all their troops, which were ſtationed in the garriſons of the Spaniſh Netherlands [18]. Unprepared for war, while they were threatened with an immediate invaſion by the united forces of two potent kingdoms, the States were compelled to adopt the reſolution of writing a letter to Lewis, acknowledging his grandſon king of Spain [19].

The fifth parliament meets. 1701.

Such was the ſtate of Europe at opening the fifth parliament of William, on the tenth day of February one thouſand ſeven hundred and one [20].

[17] Torcy, vol. i. 1700.

[18] The States, after the peace of Ryſwick, were permitted to keep poſſeſſion of ſome of the Spaniſh towns in Flanders, for a conſiderable debt which the crown owed them. The king of France offered to the council of Spain to pay the money, that they might be freed from the Dutch troops.

[19] Cole, Burnet, 1701.

[20] The commons made choice of Mr. Harley to be their ſpeaker, which was conſidered an evidence of his being entirely devoted to the intereſts of the tories. He was deſcended from a family which had been eminent among the preſbyterians, was educated in that religion, and originally connected with the whigs, who imputed his deſertion to ambition, becauſe he thought he was not enough conſidered by them. Tindal, vol. iv. p. 181.

Mr. Harley acknowledges himſelf to have been originally a whig, and to have gone over to the tories, becauſe the whigs had deſerted the principles which they profeſſed, and the tories had aſſumed them. Faults on both Sides. Somers' Collections, vol. xv. p. 291.

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CHAP. XX. 1701.

I have entered more minutely into the circumſtances of the partition treaty, not only on account of its connexion with the interior policy of England at that period, but on account of its giving riſe to a war, the moſt extenſive and intereſting; and producing political aſſociations, which ſtill continue materially to affect the condition of our own country, and of foreign ſtates.

The whigs and the tories reciprocally upbraid each other with corruption.

The firſt proceedings of parliament afforded matter of reciprocal invective and crimination. The whigs were accuſed with new inventions of bribery, and the groſſeſt acts of corruption; while they complained, in their turn, that a partial majority overlooked evidence, which would have fixed the guilt, maliciouſly imputed to them, upon their adverſaries; and, in order to expreſs their deriſion of the affected purity of the tories, it was remarked, that ſir Edward Seymour, who had himſelf ſuperintended corruption under different princes, and in ſucceeding parliaments, was now the moſt active inſtrument in expoſing it; and received the thanks of the houſe for his ſervices [21].

Some of the whig hiſtorians have aſſerted, that a deſign was formed by the tories to open the buſineſs, in the houſe of commons, with an addreſs to the king, praying him to acknowledge the duke of Anjou as rightful king of Spain [22]. Diſtruſtful, however, of the information of party, we ought to found our opinions upon facts which cannot deceive. Relying upon them, we ſhall find ſomewhat to commend, and enough to cenſure, in the conduct of the tories during this ſeſſion of parliament, without adopting either the extravagant panegyrics of their friends, or the unfounded ſuſpicions ſuggeſted by their antago-

[21] Ralph, vol. ii. p 926. [22] Burnet, Tindal.

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[21] Ralph, vol. ii. p. 926. [22] Burnet, Tindal.

niſts.

CHAP. XX. 1701.

niſts. Fortunate, however, they certainly were, in being placed at the helm of power, when they enjoyed the opportunity of proſecuting meaſures, which eſſentially contributed to the proſperity of their country, at that period, and in future ages; and which, perhaps, they could not have neglected, without loſing for ever all credit for fidelity and patriotiſm.

The king mentioned the death of the duke of Glouceſter in his ſpeech to parliament, and recommended in general ſuch meaſures as would be moſt conducive to the intereſt and ſafety of England, the preſervation of the proteſtant religion, and the peace of Europe. The commons, in their addreſs to the throne, promiſed to take ſuch meaſures as might beſt conduce to the objects recommended by his majeſty. A diviſion took place upon the article relative to the peace of Europe; but it was carried by a conſiderable majority [23].

Embarraſſment of William

William had now a difficult part to act. He was ſecretly provoked at the violation of the partition treaty: he dreaded, more than ever, the enlargement of the power of France by the acceſſion of the Spaniſh monarchy; and he was perſuaded, that the only method of preventing this, was a new league between England, the Empire and the States. To the few to whom he could ſafely unboſom himſelf, he did not ſcruple to expreſs his ſolicitude about obtaining the conſent of the Britiſh parliament to a war [24]. But ſuch

[23] Journ. Commons, 14th February.

[24] "It is the utmoſt mortification to me in this important affair, that I cannot act with the vigour which is requiſite, and ſet a good example; but the republic muſt do it, and I will engage people here, by a prudent conduct, by degrees, and without their perceiving it."

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ſuch was his experience of the humour of the nation, and his diſtruſt of every party, that an open declaration of his opinion would only have tended to obſtruct his purpoſe. He affected therefore, at this time, an indifference with reſpect to public meaſures, rather diſcouraging to his beſt friends, who began to think, that indolence, increaſing with bodily infirmity, and the repeated affronts he had received from oppoſition, had at length wearied out his active ſpirit, and extinguiſhed that patriotic flame, which had formerly ſignalized his character and captivated the admiration of Europe [25]. The patriotic flame, though covered for a ſeaſon, ſtill burned with unabated ardour, and his active ſpirit, though reſtrained by the dictates of prudence, was ready to ſhew itſelf upon the firſt opportunity of uſeful exertion. Having often experienced unexpected viciſſitudes of fortune, he truſted that ſome happy incident might yet awaken a jealouſy of France; and, in the moſt effectual manner, accompliſh thoſe objects, which he believed to be moſt conducive to the intereſt of Europe. In this expectation he was not diſappointed. By an event, which happened at the beginning of this ſeſſion, the whole train of public meaſures tended to pave the way to a new continental alliance; and by the death of James, which occurred in the courſe of a few months after, both the alliance and the war were carried into effect, by the importunate,

Events favourable to his political deſigns.

"If I followed my own inclination and opinion, I ſhould "have ſent to all courts, to incite them to vigour; but it is not "becoming, as I cannot ſet a good example, and I fear doing "more harm than good; not being able to play any other game "with theſe people, than engaging them imperceptibly." Extracts from William's Letter to Heinſius. Hardwicke's Collections, vol. ii. p. 394, 395.

[25] Tindal, vol. iv. note, p. 320.

and

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and almoſt unanimous deſire of the people of England.

1701.

The firſt of theſe incidents now comes under our conſideration, according to the exact order of time. The ſame day the king received the addreſs of the commons, he communicated, to both houſes of parliament, an intercepted letter from the earl of Melfort to his brother the duke of Perth, which diſcovered danger more imminent and alarming to England, than what was apprehended merely from the late encreaſe of the French power. The earl of Melfort deſcribes the preparations for war carrying forward in France, the ſtrength of her fleet and other circumſtances, which rendered the preſent juncture moſt favourable for the reſtoration of James. But, what above all made an impreſſion agreeably to the views of William, he mentions how much their hopes of ſucceſs were cheriſhed by the defenceleſs ſtate of England, and the delays and debates which muſt take place before ſhe could be in a condition to act, if ſhe had the inclination to do it [26].

A letter from lord Melfort communicated to parliament;

The ſubject of this letter ſpread an immediate alarm among the people, excited a vigilant jealouſy of the proceedings of parliament, and conſtrained the miniſters to turn the courſe of their meaſures towards war and foreign politics. Every delay in buſineſs, every debate, which appeared extraneous or prolix, was conſidered as a progreſſive fulfilment of the hopes expreſſed by Melfort, and a compliance with that plan, which was carried on by a malignant faction at home, in concert with the natural enemies of their country. Theſe apprehenſions were the more confirmed by the rumour of a French plot;

effects of it upon the temper of the people,

[26] Journ. Commons, 17th February.

printed

printed accounts of which were now hawked about in the ſtreets of all the moſt conſiderable towns in England [27].

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The French miniſter, de Torcy, complained to lord Mancheſter of theſe proceedings, as tending to engender animoſity between the two kingdoms. This complaint produced an inveſtigation of evidence, and terminated in confirming the authenticity of Melfort's letter; nor could the alarm which it excited be allayed by the French king's open diſavowal of all connection with Melfort, and ſending him into baniſhment [28].

and upon the parliament.

The influence of theſe events was conſpicuous in the reſolutions of the commons, formed upon the conſideration of a memorial tranſmitted by the States to king William. They now reſolved to addreſs his majeſty, that he would be pleaſed to enter into ſuch negotiations, in concert with the States and other powers, as might effectually conduce to the mutual ſafety of England and Holland, and the preſervation of the peace of Europe [29]. The expreſſions in the addreſs of the lords was ſtill more favourable to his wiſhes; for they deſired him to enter into alliances with all the princes and States, who were willing to unite for the preſervation of the balance of Europe [30]. In conſequence of theſe addreſſes, propoſals were tranſmitted, by the Engliſh and Dutch miniſters, to the court of France, and rejected on account of the extent of the demands contained in them [31].

The

[27] Hiſtorians of the Times.

[28] Letters of Mancheſter and Vernon.

[29] Journ. Commons, 20th February.

[30] Journ. Lords, 13th February.

[31] His chriſtian majeſty was required to withdraw all his troops within a ſhort limited time from the Spaniſh Netherlands, and not to be allowed afterwards to ſend any thither; while it ſhould be permitted to the king of Great Britain, and the States General, to ſend troops for the defence of the Netherlands whenever

CHAP. XX.

1701. Extenſion of the act of ſettlement.

The ſame fortunate coincidence of external events operated in accompliſhing a meaſure more deciſively and permanently conducive to the proſperity of Britain, than the alliances into which ſhe was about to enter. The death of the duke of Glouceſter impreſſed a general conviction of the neceſſity of extending the ſucceſſion of the crown in the proteſtant line; and a ſuſpicion of the tories being averſe to that meaſure increaſed the public anxiety upon their being raiſed to the adminiſtration. While they were conſtrained to gratify the earneſt expectation of the people by bringing in a bill for entailing the crown upon the illuſtrious houſe of Hanover, it was remarked by their antagoniſts, that the reſtrictions and conditions, which they propoſed, were calculated to fruſtrate its ſucceſs [32]. As the ſettlement of the

3d March.

whenever they ſhould be lawfully required. This requiſition was complained of by the French court as unreaſonable and partial. Tindal, vol. iv. 213. 216.

[32] Burnet. Theſe reſtrictions were, 1. That whoever ſhall hereafter come to the poſſeſſion of the crown of England, ſhall join in communion with the church of England. 2. That if the crown ſhould deſcend to a perſon who was not a native of the kingdom, the nation ſhould not be obliged to engage in war for the defence of his foreign dominions, without conſent of parliament. 3. That he ſhould not go out of the dominions of England, Scotland, or Ireland, without the conſent of parliament. 4. That all matters relating to the government of the kingdom, cognizable in the privy council, ſhould be tranſacted there, and all reſolutions taken thereupon ſhould be ſigned by ſuch of the privy council as adviſed and conſented to the ſame. 5. That no perſon born out of the kingdom ſhould be of the privy council, or a member of parliament, or enjoy any office, or have any grants of lands from the crown to himſelf, or others in truſt for him. 6. That no perſon who enjoyed office or penſion from the crown, ſhould be capable of ſerving as a member of the houſe of commons. 7. That the judges ſhould hold their places during good behaviour, but might be removed by an addreſs from both houſes of parliament. 8. That no pardon under the great ſeal be pleadable to an impeachment of the commons. Journ. Commons, 12th March.

crown

crown preſented the moſt favourable opportunity for introducing new limitations upon the prerogative, by their merit and tendency, the intentions and ſpirit of thoſe who moved them muſt be tried. Some of them, undoubtedly, implied a cenſure upon the conduct of the king; the propriety of others has been aſcertained, by the adoption of them at a later period, with the conſent of every party. There can be little doubt, but ſuch of the tories, as adhered to the intereſts of the princeſs Anne, gave their cordial ſupport to the extenſion of the act of ſettlement. Her immediate ſucceſſion, on the demiſe of the king, was rendered more ſecure by the ſettlement of the crown upon a proteſtant of foreign extraction, than if it had been left open to a rival; who, if entitled, or even likely to ſucceed on the event of her death, might have urged the claim of being preferred to immediate poſſeſſion upon the principles of expediency and juſtice [33].

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In the meaſures now recited, the houſe of commons acted in conformity to the inclinations

Obſervations.

[33] The addreſs of William, in availing himſelf of the intereſt of the princeſs Anne to bring about the ſucceſſion to the crown in the proteſtant line, is thus deſcribed by a contemporary author: That he might prevail with the princeſs Anne to "agree to it, he was not diſpleaſed to hear a rumour ſpread as "if he was about to make a ceſſion of the crown to another. "He would alſo hold diſcourſe in public concerning James and "his ſon, and inquire of thoſe who came from abroad concern-"ing the parts and perſon of the boy, and whether he was not "a promiſing youth. The princeſs Anne hearing of theſe "things, and fearing leſt king William ſhould reſign the king-"dom, and reſtore it to king James and his ſon, eaſily agreed "with him about the ſubſtitution of heirs; but this agreement "was neceſſary to be kept ſecret, till the opinions of the mem-"bers of parliament could be known." Cunningham, vol. i. p. 185.

of

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of the court. Their caution, in not ruſhing precipitately into a continental war, and the bill of ſucceſſion, with a few of the reſtrictions annexed to it, certainly deſerved the gratitude of the nation. They diſcovered uncommon diligence and accuracy in their inquiries concerning the ſtate of the revenue and public accounts, in ſupporting the credit of the exchequer, and in having recourſe to every fair plan of œconomy for relieving the burdens of the nation [34]. But their conduct and proceedings, with reſpect to the partition treaty, were marked with partiality, animoſity, and perſonal pique, which brought diſgrace upon themſelves, and retarded the moſt important public buſineſs.

The partition treaty unpopular,

The partition treaty was conſidered, by the generality of the people, as departing from the ſpirit of former alliances, as exhibiting a ſervile complaiſance to the French court, and as eminently contributing to the enlargement of that power which it had profeſſed to circumſcribe. The ſecrecy with which the king had conducted that buſineſs, though neceſſary to its ſucceſs, was likewiſe extremely offenſive, as it ſeemed to denote a want of confidence in his Engliſh ſubjects.

and cenſured by both houſes of parliament.

So far, both houſes proceeded, upon ſpecious and popular grounds, to expreſs their diſapprobation of it, and ſuch was the ſubſtance of the arguments contained in their addreſſes to the throne [35].

Though the partition treaty was, from its commencement to its concluſion, a meaſure of the king's own contrivance and direction, yet, from a prudent accommodation to circumſtances, he

[34] Journ. Commons, February, March, paſſim.
[35] Journ. Lords, 20th; Journ. Commons, 24th March.

avoided

1701.

avoided any interpoſition to avert the cenſure with which it was threatened. It is probable, that he was not diſpleaſed, ſecretly, with that inconſiſtency into which the tories were running, by forming the moſt violent purpoſes of reſentment againſt his former miniſters, while, at the ſame time, they were averſe to his darling meaſure of entering into a war with France. The crimination of the treaty was, by implication, an acknowledgment of the neceſſity of the war. Every argument, calculated to impeach the one, was, in effect, an argument for approving of the other, and there is no doubt, that the meaſures of the commons, though purſued to extremes which the king did not foreſee, contributed to render a foreign war unavoidable, even in the opinion of that party from which he dreaded an oppoſition to it.

Violence.

But to return to the progreſs of theſe. Though both houſes concurred in expreſſing their diſſatisfaction with the partition treaty, yet their different motives for doing this ſoon appeared by their ſubſequent meaſures. The lords evidently had no farther deſign, than to teſtify their diſapprobation of a meaſure apparently ambiguous, or impolitic, in the apprehenſion of thoſe, who were but partially informed with reſpect to the grounds upon which it had proceeded, and to render ſuch a diſapprobation the baſis of more vigorous meaſures. The commons wanted to make their reſolutions the inſtrument of gratifying the pride and reſentment of a party, of harraſſing the king, and diſgracing the leaders of a whig adminiſtration. The oppoſition of the former was confined to the treaty, that of the latter was levelled againſt the perſons who made it.

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1701. and partiality of the commons in their proceedings with reſpect to the partition treaty.

it. Hence, in the courſe of the debates in the houſe of commons, the treaty was not only condemned, but the perſons who were acceſſary to it were inveighed againſt in the moſt opprobrious language; and it was finally reſolved, that they ſhould be impeached of high crimes and miſdemeanors. The moſt glaring partiality and impatient reſentment, upon the very commencement of this buſineſs, conveyed an unfavourable impreſſion of the party by which it was agitated. In the liſt of the impeached, the names of ſome were omitted who were known to have been acceſſary to the treaty, as much as any of thoſe whoſe names were inſerted; but they had expiated their guilt by joining the party of the accuſers [36]. Not ſatisfied with a fair iſſue of their trials, the commons graſped at the anticipation of puniſhment, and addreſſed his majeſty to remove the earl of Portland, lord Somers, Halifax, and Orford, from his preſence and councils for ever [37]. The lords felt the honour and dignity of their order infringed by ſuch a precipitate and violent attack upon ſome of their members; they preſented an addreſs to the king, praying him not to paſs any cenſure againſt them, till they

The lords offended at the commons.

[36] They reſolved that the earl of Portland, by negotiating and concluding the treaty of partition, was guilty of a high crime and miſdemeanour, and lodged an impeachment againſt him in the houſe of peers; and yet the earl of Jerſey, ſecretary of ſtate and privy counſellor, who ſigned the ſaid treaty, ſtood unimpeached, and continued at the head of affairs.

The lords Somers, Orford, and Montague, now lord Halifax, were impeached for adviſing the treaty 1698; and yet ſecretary Vernon, and ſir Joſeph Williamſon, who were privy to it, ſtood unimpeached. Anſwer of Lord Heverſham. Somers' Col. vol. viii. p. 384.

[37] Journ. Commons, 15th April.

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were tried upon the impeachments depending in the lower houſe [38]. The ſubſequent proceedings of the commons contributed ſtill more to inflame the animoſities already kindled between the two houſes. Lord Heverſham, in a conference, had reflected upon the partiality of the commons, becauſe they had impeached ſome, and not others, who had been guilty of the ſame crimes. The commons voted, that he ſhould be charged for reproaches reflecting upon their honour and juſtice; and that the lords ſhould be deſired to proceed againſt him, and to inflict ſuch puniſhment as his high offence deſerved [39]. They even ſeemed to encroach upon the judicial rights of the peers, by attempting to preſcribe the time, the order, and other important regulations, relative to the trials of the impeached miniſters. Meſſages paſſed between the two houſes; the queſtions in diſpute were argued fully at ſeveral conferences; but the reſult was, an obſtinate adherence to the principles and opinions which they had ſeverally adopted [40]. The lords, provoked by the obſtinacy, inſolence, and dilatory proceedings, of the commons, and convinced of the frivolous grounds of the charges of impeachment, fixed a day for the trial of lord Orford. Upon the commons repreſenting, that, from the nature of the evidence, it would be moſt proper to begin with the trial of Somers, the lords readily complied, and fixed an earlier day for it [41]. The commons, however, refuſed to appear; the lords proceeded in the trial, and acquitted Somers. The commons remonſtrated;

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[38] Journ. Lords, 16th April.
[39] Journ. Commons, 13th, 16th, and 20th June.
[40] Journ. Commons, April and May, paſſim.
[41] Journ. Lords, 31ſt May and 3d June.

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the lords notwithſtanding proceeded in the trial of lord Orford; and, finally, on the laſt day of the ſeſſion, diſmiſſed the ſeveral impeachments, becauſe the commons neglected to proceed in their charges [42].

The people offended.

The people did not remain indifferent ſpectators during this period of warfare between the two houſes. The ſucceſſion of the duke of Anjou to the dominions of Spain rouſed their wonted jealouſy of France, and inſpired them with ſentiments and wiſhes congenial with thoſe of the king. The virulence of cenſure pointed againſt him, in the courſe of the debates in the lower houſe, diſguſted the ſober-minded, and awakened compaſſion [43]; while it was but too obvious, from the perſonality with which the impeachments were introduced, and the contention and acrimony with which they were conducted, that they flowed from the narrow and vindictive ſpirit of faction. Public buſineſs was interrupted, and the great objects deſired by the people were neglected. The impatience, excited by theſe impreſſions, was boldly expreſſed, in a petition delivered to the houſe of commons, in the name of the gentlemen, juſtices of peace, grand jury, and freeholders, of the county of Kent. The commons enraged, voted the petition ſcandalous and ſeditious, and reſolved that the gentlemen who promoted it ſhould be taken into cuſtody [44]. The indignation of the people became

Kentiſh petition. 8th May.

[42] Journ. Lords and Commons, 17th June; and Journ. Lords, 24th June.

[43] Mr. Howe ſaid in parliament, that the king's grants were ſquandered away upon buffoons and harlots, and called the partition treaty a felonious treaty of three thieves. Cunningham, vol. i. p. 208.

[44] Journ. Commons, 8th and 14th May. Hiſtory of the Kentiſh Petition.

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more fierce. A memorial, ſigned Legion, which was left in the chair of the ſpeaker, charged the lower houſe with illiberal and unwarrantable practices, and branded the whole party of the tories with the moſt dangerous principles and deſigns. The embroiled ſtate of the commons with the people, as well as their diſagreement with the houſe of lords, obſtructed all public buſineſs, and rendered it neceſſary to prorogue the parliament.

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Parliament prorogued. 24th June.

During the continuance of the ſeſſion, William received a letter from the new king of Spain, intimating his acceſſion; and, by the advice of the privy council, an anſwer was returned acknowledging his title. This tranſaction appeared not a little myſterious, at a time when William was forming meaſures hoſtile to the intereſts of Philip, and the commons were beginning to make conceſſions favourable to their accompliſhment and ſucceſs. Some have conſidered this as an act of political addreſs on the part of the king; that, by yielding this point to his council, he might procure a grateful return, and bring them, by gentle means, to enter into thoſe alliances which he was projecting, with a deſign to abridge the power of the houſe of Bourbon. Setting aſide theſe views, we are at no loſs to perceive ſtrong reaſons, ariſing from the ſituation of affairs, for yielding a temporary ſanction to a breach of the partition treaty. In order to maintain the acquiſition of the Spaniſh empire to his grandſon, it appeared to Lewis an object of the firſt importance to divide the States from England. With this view the intimation of his grandſon's acceſſion was made to the former, and withheld from the latter; he attempted to negotiate with the one, as detached from the counſels and

William acknowledges the king of Spain. 13th April.

Reaſons for his doing ſo.

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intereſts of the other; and he inſtructed his ambaſſadors to refuſe the admittance of the Engliſh into their conferences with the agents of Holland. The States found themſelves under the neceſſity of acknowledging the title of Philip, in order to recover their troops detained by Lewis in the Spaniſh Netherlands. Advantage was taken of this meaſure by Lewis, to treat with the States as ſeparated from England, and as precluded from entering into any meaſures with her, inconſiſtent with thoſe engagements which were implied in their acknowledgment of his grandſon. To obviate this objection; to place England and Holland preciſely in the ſame political poſture, with reſpect to Spain; and to maintain unity of ſentiment and intereſt between them, furniſhed the moſt forcible arguments for William's acknowledging the title of Philip [45].

Reſolutions of the commons favourable to the king's views.

The king, notwithſtanding all the affronts and reproaches he had endured, in the courſe of the ſeſſion, had the ſatisfaction to ſucceed in thoſe objects, which he deemed moſt important to the nation and his own honour. The negotiations he had already carried on in conjunction with the States were approved of; the army was augmented; liberal ſupplies granted; the faith and honour of both houſes pledged to ſupport what-

[45] Cole. Ralph, vol. ii. p. 902. In order to vindicate the conduct of William in this inſtance, we need not have recourſe to that fineſſe which is tolerated in political tranſactions. The great purpoſe of the public meaſures, now purſued by him, was to abridge the power of France, not to dethrone the king of Spain. That reſolution was afterwards taken, in concert with the emperor; becauſe Lewis oppoſed thoſe demands, which were ſpecified by William, the emperor, and the States, for maintaining the peace of Europe.

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ever alliances he ſhould think proper to enter into, for controlling the ambition of France; for ſecuring the juſt claims of the houſe of Auſtria, the ſafety of the States, and the peace of Europe [46]. For the fulfilment of theſe engagements, he derived a ſtronger aſſurance from the temper and ſentiments of the people at large. Complaints of taxes, and averſion to continental connexions, which began to ſpread after the peace of Ryſwick, now gave way to a ſpirit of indignation againſt France, rouſed by the late acceſſion of her power and her ſuppoſed treachery in the breach of the partition treaty. Wearied with the tedious progreſs and uncertain iſſue of negociations and treaties, the nation became eager for the commencement of hoſtilities, and eſtimated the merits of the prince and his miniſters, by the tendency of the meaſure which they purſued to forward that object.

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The nation impatient for war.

The king was now relieved from that reſerve, which prudence had hitherto impoſed upon him. His pre-eminent talents for negociation and for military affairs once more found a free ſcope for action; and were exerciſed with vigour and aſſiduity, ſeldom exemplified in one depreſſed with bodily infirmities, and the proſpect of approaching diſſolution. He went to Holland; he reviewed the troops; he gave all neceſſary directions for the recruiting of the army, the reinforcing of the garriſons, and for the repair and defence of the fortifications; he dictated the memorials preſented by the ambaſſadors of England and the States to the court of France; and he negotiated with the ſeveral princes of Europe to foment a jealouſy of her power, and to ſtrengthen

The king makes preparations for it.

[46] Journ. Commons, March, April, May, paſſim.

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the combination for oppoſing it [47]. Under his auſpicious influence ſome of the neighbouring princes were prevented from yielding to the intrigues of France, and kept in a ſtate of neutrality; others were aſſociated with England and Holland; and that grand alliance between the emperor, king William, and the States, the baſis of the war, was brought to perfection [48].

The grand alliance.

7th Sept.

In the mean time, memorial after memorial paſſed between the courts of England and France, without any tendency to bring matters to an accommodation. As the French king formerly complained of the States for acting in concert with England, ſo he now complained of their introducing the claims of the emperor; and, after many remonſtrances to this purpoſe, recalled monſieur D'Avaux, his ambaſſador, from the Hague. The maſk was now thrown aſide by all parties: the Engliſh and Dutch ambaſſadors withdrew from Paris; and monſieur Pouſſin, the agent for the French king, was ordered to leave England.

13th Aug.

30th Sept.

The heat and emulation of parties render the people more anxious for war.

During the period of theſe tranſactions, the war of parties in England was waged with increaſing aſperity and violence. Whatever the concealed motives and intentions of any party of men, in a free country, may be, yet they muſt ever endeavour to hold forth ſuch repreſentations of them, as are conſonant to the prejudices of

[47] Monthly Mercury, September, October, 1701.

[48] The moſt important articles in this treaty were, that the allies ſhould procure ſatisfaction to the emperor in the Spaniſh ſucceſſion; that they ſhould endeavour to recover the Spaniſh Netherlands to be a barrier between Holland and France; and the duchy of Milan, Naples, Sicily, the lands and iſlands upon the coaſt of Tuſcany belonging to the Spaniſh dominions, to the emperor; that Britain and the States ſhould retain whatever places they conquered in the Weſt Indies.

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the people. Both parties, in their own defence, exhibited to the public ſuch accounts of their own conduct, in the laſt ſeſſion of parliament, as co-operated to cheriſh the national ſpirit of antipathy to France, rather than materially to anſwer their ſeparate views of obtaining a preference in the confidence and affections of the people. They reciprocally appealed to their actions as the teſt of their ſincerity. The whigs complained, that the tories wiſhed to protract time, to trifle, to compromiſe, and finally to evade war with France. The progreſs of the French in Flanders, and their forwardneſs in warlike preparations, were adduced as fatal effects and incontrovertible evidences of thoſe charges. The tories not only boaſted of the efficient meaſures they had purſued in the laſt ſeſſion of parliament, the ſupplies they had granted; the treaties they had authoriſed, the forces they had raiſed; but they pledged themſelves for the vigour and celerity with which they were determined to purſue the reduction of the French power[49]. To this emulous application for public favour, as well as to an intervening event of great moment, it was owing, that both of them perſevered to vie with each other, for many years after, in zeal for ſecuring the proteſtant ſucceſſion, and thwarting the ambitious views of France.

Death of James. 6th Sept.

The event to which I refer was the death of James[50], and the reſolution, adopted by the court

[49] Publications of the Times, Somers's Collections.

[50] The features of James's character are ſo marked, that the reader of obſervation needs no aſſiſtance to diſtinguiſh them. Nothing, however, appears more unaccountable, than the credit James ſeems to have obtained from ſome of his contemporaries for

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court of France, to acknowledge his ſon as king of England. This event was not only productive of

1701. His ſon acknowledged by the French king, which is reſented by every party in England.

for ſincerity and honour, and the implicit aſſent, with which later hiſtorians have admitted theſe virtues, as the ground of encomiums upon his character.

Mr. Hume ſays, "That he was faithful, ſincere, and honourable in his dealings with all men." Hume, vol. vi p. 432.

The hiſtorian, whom I have ſo often had occaſion to mention in the courſe of this work, diſcovers the ſtrongeſt partiality to James, by laying the ſtreſs of his character upon his truth and ſincerity. "He was honourable and fair in all his dealings. "His great virtue was a ſtrict adherence to facts and truth in "all he wrote and ſaid, though ſome parts of his conduct had "rendered his ſincerity in his political profeſſions ſuſpected by "his enemies." Macpherſon's Hiſtory, vol. i. c. viii.

Few characters, that have entered the page of hiſtory, furniſh more numerous examples and indiſputable proofs of diſſimulation, duplicity, and want of truth, than occur in the private and political conduct of James.

He ſeems to have entertained a deſign of denying his marriage with lord Clarendon's daughter, which was diſcouraged and prevented by his brother king Charles. Life of Clarendon, vol. i. p. 261.

If he gave a proof of his ſincerity by profeſſing the Roman catholic religion, he ſurely had committed repeated falſehoods in denying his attachment to that religion after it had actually taken place. He made a ſolemn declaration to Dr. Morley, of his reſolution to continue in the proteſtant religion, at a time, when he was giving every encouragement to his ſervants to become Roman catholics; and had probably determined, in his own mind, to embrace that religion. Letter of Morley to Clarendon, April 24, 1659. Clarendon's State Papers.

His converſation and dealings with the earl of Argyle, about the teſt act in Scotland, exhibit not only contradiction of opinion, but the moſt treacherous and deliberate falſehood to enſnare and deſtroy that nobleman. Woodrow's Hiſtory, vol. ii. book iii. ch. v. ſect. vii.

While he declared himſelf a friend to toleration in England, he urged the moſt ſevere perſecution of the preſbyterians in Scotland. While profeſſing to the prince of Orange a deſire for toleration, he was congratulating Lewis upon the perſecution of the Huguenots. Compare Woodrow's Letters. Dalrymple's App. part. i. p. 177.

He

of renewed profeſſions of loyalty to the king, but increaſed the ſincerity, and ſtimulated the exertions, CHAP. XX. 1701.

He was well known to be an enemy to the proteſtant diſſenters in England. The chief inſtruments of their perſecution were his creatures and partiſans; and yet, when he aſcended the throne of England, he broke the laws to gratify the diſſenters, that he might cheriſh popery; and he pretended that toleration had ever been his favourite principle. Somers's Collections, vol. xv. p. 298.

His correſpondence with the prince of Orange exhibits a ſcene of baſe diſſimulation and falſehood. He is at pains to impreſs him with a belief of his zeal for England's entering into a war with France, while he is privately doing all that he can to thwart it, and labouring to promote a treaty between his brother and France, highly prejudicial to William. Dalrymple's Appendix, part i p. 181-2-8, &c.

When he aſcended the throne of England, he endeavoured to ingratiate himſelf with his ſubjects, by profeſſing independence upon France, and an averſion to all connexion with her; and yet, at that very time, he gave Lewis the ſtrongeſt aſſurances of his friendſhip; nay, he was ſo mean as to ſolicit a ſubſidy from him as the reward of his friendſhip. He was indeed offended, becauſe Lewis did not beſtow ſo liberal a penſion as he expected, and therefore renewed a treaty with Holland. Ibid. part i. p. 103. 154. 175-6.

He inſtructed lord Clarendon and ſir Charles Porter to declare ſolemnly, that he would maintain the acts of ſettlement and explanation in Ireland inviolate; and yet it was afterwards manifeſt, that nothing was farther from his intention. State of Ireland, p. 144.

After lord Dundee fell, a letter from lord Melfort was found in his pocket, together with a declaration under the hand of king James, containing not only an offer of indemnity to all ſuch as ſhould return to their duty, but of toleration to all perſuaſions. Melfort's letter to Dundee, however, imported, that, notwithſtanding the ſeeming promiſes of indulgence and indemnity in the declaration, he had ſo worded them, that he might break them when he pleaſed, and that his majeſty did not think himſelf bound to ſtand by them. Guthrie's Hiſtory, vol. x. p. 299.

James certainly was ſincere in profeſſing that religion, which he believed to be true, at the hazard of his crown. But though a man cannot be ſincere who does not openly profeſs the

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exertions, of every party, for eſtabliſhing the throne in the proteſtant line. The intereſt of the unfortunate ſon of James was not only obſtructed, but the affections of many in the nation were alienated from him, by his acceptance of the patronage of a prince, whoſe name, at this period, was no leſs odious, than his ambition was formidable to England. The remaining friends of the family of Stewart were agitated with oppoſite and diſtracting affections: antipathy to France encountered a predilection for the lineal deſcendant of their ancient princes; and the pride of an Engliſhman revolted againſt the idea of acknowledging a prince, who tarniſhed the honour of his country, by receiving an empty dignity from the hands of a hated rival [51]. Perſons free from every bias of prejudice, or impulſe of paſſion, and who purſued, coolly and diſintereſtedly, that ſyſtem, which appeared moſt favourable to the liberties of their country and

the religion which he believes, yet he may do this and ſtill be deficient in ſincerity; nay, he may be ſuch a bigot to religion, as to ſacrifice truth and ſincerity, in every other branch of character, to the intereſts of his religion. He may think it his duty to lie, to deceive, and to break every moral obligation, for propagating his favourite faith. Such was the character of James; and they who aſcribe ſincerity to him, after attending to the inſtances now cited, muſt entertain a narrow, looſe, and incorrect idea of that virtue.

Mr. Macpherſon aſcribes the procuring the ſlave trade to England, to the induſtry and artifice of James when duke of York, vol. i. chap. ii.

Admitting the fact, it will not contribute to advance either his reputation or merit in the opinion of thoſe, who think that this traffic has involved their country in guilt and infamy, for which no external proſperity can compenſate. Such will lament, that his commercial projects have not been doomed to the ſame diſappointment, which attended his political and religious deſigns.

[51] Cunningham, vol. i. p. 213.

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the independence of Europe, anticipated the moſt fatal conſequences to both, if a king ſhould aſcend the throne of England, under the influence of a rival kingdom, and under a ſenſe of obligations to her monarch. Rich in internal reſources and population, France grew every day more terrible to her neighbours by the artifices and uſurpations of her ſovereign. He had already detached, from the ſcale of the allies, and added, to his own, all the wealth of the Spaniſh empire. He now graſped at the government of England, the ſtrong fence of European independence, by placing upon her throne a prince trained under his tutelage, and ſubjected to his direction. Should he ſucceed in this deſign, the diſpute would ſoon be at an end: England would become his tool; and Europe would be ſubdued. 1701.

and fatal to the hopes of the pretender.

To the circumſtances and impreſſions now deſcribed, we trace that political ſyſtem, which, more or leſs, regulated the meaſures of every party, and of every adminiſtration in England, for many years ſubſequent to this period. The acknowledgment of the right of the pretender by Lewis, who was in the moſt extreme degree obnoxious to the Engliſh, and upon the verge of hoſtilities againſt them, fixed an aſſociation of ideas, which not only alienated the affections of the tories from the ſon of James, but multiplied and corroborated the legal obſtructions to his reſtoration, at a period, when, if it had not been for them, he would have divided the affections of the nation. The tendency of acts of parliament, the language of every party, the avowed attachment of individuals, all ran in favour of the Hanoverian ſucceſſion. The tories and the whigs ſtrove to excel in public zeal for this

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this object: hence ſome of the leading men among the former, when, under the ſucceeding reign, they were really inclined to promote the inclinations of the queen for the ſucceſſion of her brother, found themſelves entangled and hemed in by the reſolutions and ſtatutes, to which they themſelves had contributed, and were forced to purſue their object, by meaſures ſo clandeſtine and inconſiſtent, as not only fruſtrated their purpoſe, but brought diſgrace and ruin upon their families.

Reaſons for the king changing his miniſters, and calling a new parliament.

From the facts which have occurred, it is natural to infer, that William might have truſted to the ſame parliament and the ſame miniſtry for the proſecution of ſuch meaſures, as were no leſs conformable to the temper of his people, than to his own private deſire. Conſidering, however, the advantages the French king had obtained, by having got ſo much the ſtart in his preparations for war; ſuch vigour and expedition became neceſſary upon the part of England and the States, as could only be expected from miniſters, who entered, with the full conviction of their underſtanding and the ſincere attachment of their heart, into meaſures which the voice of the public preſcribed. Beſides, the keenneſs, with which the tories carried on the impeachments, afforded every reaſon for apprehending that private reſentment would be preferred to public buſineſs; and that the ſame diſputes would be renewed under the continuance of a parliament and miniſtry devoted to them. If, from theſe conſiderations, the king was diſpoſed to change his miniſtry and diſſolve the parliament, he was confirmed in that reſolution by the ſtrain of addreſſes, which were now tranſmitted from the moſt reſpectable communities in England.

The

The ſentiments of the Kentiſh petition were re-echoed from every quarter: the dilatory proceedings of the commons in the laſt ſeſſion execrated; and the neceſſity of vigorous meaſures inculcated [52].

The king returned to England on the fifth of November; upon the eleventh he diſſolved his parliament; and ſummoned a new one to meet on the thirtieth of December. The perſonal indignity offered to him, by the French king's having owned the Pretender, and the danger of Europe from the acceſſion of the duke of Anjou to the throne of Spain; the alliances he had formed, agreeably to the inſtructions of parliament; The ſixth parliament of William meets.

[52] The earl of Carliſle was appointed firſt lord of the treaſury in the room of lord Godolphin. The earls of Radnor and Burlington were admitted into the privy council. The earl of Mancheſter was made ſecretary of ſtate, in the room of ſir Charles Hedges. The earl of Pembroke was declared high admiral. The duke of Somerſet ſucceeded him as preſident of the council. Theſe changes did not take place till after the meeting of parliament, and it was believed, that ſeveral other changes were intended in favour of the whigs, if the king had lived. The diſſolution of parliament and the change of the miniſtry were recommended to the king by lord Sunderland, with earneſtneſs and importunity, which he would not have diſcovered, if he had ſuſpected that the king's inclinations had been contrary to the opinion he ſupported. Hardwicke's Collections, vol ii. p. 443. &c.

He applied, at the ſame time, with aſſiduity, to ingratiate himſelf with the perſons upon whom he wiſhed the king to devolve the management of his affairs. To lord Somers, upright and unſuſpecting, he addreſſed himſelf in ſuch flattering and warm profeſſions of friendſhip, as obtained his entire confidence. Hardwicke's Collections, vol. ii. p. 447-8. 453-7.

At the ſame time, whether it was to gain more effectually the confidence of the perſons, with whom he had formerly fallen under ſuſpicion, or, in order to make an experiment of the ſtability and ſucceſs of a new adminiſtration, before he became publicly connected with it, he poſitively refuſed, at this time, the acceptance of any miniſterial office. Ibid. p. 462.

ment;

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ment; and union at home, as more than ever neceſſary to ſucceſs in all their deſigns; were the important topics, upon which the king addreſſed himſelf to his parliament.

1702. Mr. Harley was again choſen ſpeaker of the commons, and Mr. Coniers of the general committee. From this diſtinction being conferred upon tories, as well as from angry reſolutions which were paſſed with reſpect to the Kentiſh petition [53], it might have been inferred that the ſtrength of that party prevailed, if meaſures had not ſoon followed, which were favourable to the current of popular ſentiments, and the principles of the whigs. Repeated addreſſes, from both houſes, glowed with indignation againſt France: the commons addreſſed his majeſty, that it might be an article in the ſeveral treaties of alliance, that no peace ſhould be made with the French king, till his majeſty had reparation for the great indignity offered to him, by owning and declaring the pretended prince of Wales king of England [54].

Supplies granted.

Copies of the ſeveral treaties, which the king had made, were laid before the commons, and their hearty approbation of them was expreſſed, by reſolving that a ſupply ſhould be granted [55]. The exchequer was authoriſed to borrow ſix hundred thouſand pounds for the ſervice of the fleet, and fifty thouſand pounds for the ſupport of the guards and garriſons. Forty thouſand men were ordered for the land ſervice, and ſeven hundred thouſand pounds voted for paying them [56]. Bills, for further ſecuring the pro-

Bill for attainting and abjuring the Pretender.

[53] Journ Commons, 7th Feb. 1702.
[54] Journ. Commons, 10th January.
[55] Ibid. 6th and 7th January.
[56] Ibid. 7th, 10th, 14th, and 17th January.

teſtant

teſtant ſucceſſion, for attainting, and abjuring the Pretender, were brought in by the commons, and, with ſome amendments, obtained the conſent of the lords [57]. Such a train of meaſures could not fail of giving the higheſt ſatisfaction to the king. He now ſaw the nation brought back to that temper, which had produced the revolution, ſaved the proteſtant religion, and the liberties of Europe. 1702.

Viciſſitudes in the political ſentiments of the nation ſince the peace of Ryſwick.

After the peace of Ryſwick, the perſonal intereſt of William, which had been upheld, during the war, by his meritorious ſervices and the more copious diſpenſation of favours, began to decline. Through the artifices of faction, the moſt malignant conſtruction was put upon all his actions. The importance of the objects, for which he was invited to the throne, was undervalued and forgotten; and his influence upon public meaſures almoſt annihilated. In this ſituation a critical juncture of affairs enſued. The tempeſt began to gather anew; the political horizon became dark and menacing; the mind of the king was depreſſed, but not ſubdued. He laboured to mitigate thoſe approaching calamities, which, under the deprivation of national confidence, he could not avert. By the partition treaty, he hoped that the French king might be ſoothed into conceſſions, for maintaining the preſent peace, and the future balance of Europe. The prejudices and reſentment of a diſappointed faction traduced his commendable intentions; the ill ſucceſs of his attempts at firſt ſeemed to

[57] Journ. Lords and Commons, January, February, paſſim, and 7th March. On the 7th of March the king was ſo weak, that he was obliged to make uſe of a ſtamp, for ſigning the commiſſion, giving his aſſent to the bill for ſecuring the proteſtant ſucceſſion.

juſtify

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juſtify the miſconſtruction of them, and to eſtabliſh the triumph of malice, while it gave new ſcope to its exertions. Theſe exertions overreached their mark, contributed to fruſtrate their own object, to develope the wiſe policy and ſteady integrity of William, and to engage his enemies themſelves in ſuch meaſures as were moſt agreeable to his inclinations, and the intereſt of Europe. A concurrence of fortunate incidents co-operated to promote the ſame ends. The clouds were diſpelled; unanimity and vigour opened the proſpect of national proſperity and glory, and once more gilded the political horizon.

The wiſhes of the king gratified.

His death. 8th Mar.

William did not ſurvive to reap the fruits of his labours and projects; and his death, at a period, when he was juſt about to enter upon the conſummation of his hopes, and to aſcend the ſummit of terreſtrial glory, is a memorable example of the obſervation of a ſacred author, *that man at his beſt eſtate is altogether vanity.*

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Comparative View of the Whigs and Tories during the Reign of William.---Their Strength in the Nation.---Their Influence at Court.---Their Share in Adminiſtration.---Inconſiſtencies in the Conduct of both.---Their Merits and their Faults.---Obſervations.---Benefits of the Revolution.---It ſecured the Liberties of England---ſaved the Proteſtant Religion---promoted Toleration---infuſed a Spirit of Improvement into the Conſtitution.---Obligations of the Nation to King William.---His Character.

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Comparative view of the whigs and tories during the reign of William.

FROM a comparative view of the ſtrength of the whigs and the tories, through the nation in general, at the revolution, it appears, that, in rank, property, and influence, the tories were ſuperior. From number, zeal, induſtry, and a fortunate coincidence of events, the whigs derived progreſſive advantages. It has been generally admitted, that, in the preceding reigns, the greateſt number of perſons, who poſſeſſed landed eſtates, avowed the principles, and ſupported

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Their ſtrength in the nation.

ported the meaſures, of the tories. To the ſame intereſt was devoted the undivided attachment of the eſtabliſhed church, abounding with wealth and patronage, and reſpectable by the literature, abilities, and character, of many of its members. To this aſſociation, civil and eccleſiaſtical, we are indebted, in a great meaſure, for the revolution, or, at leaſt, for that zealous concurrence of the tories with the whigs, without which that event could never have been accompliſhed.

The ſuperiority of the tories, in property and hereditary influence, was balanced by a variety of advantages, which gradually raiſed the power and reputation of the whigs, and rendered them more than a match for their antagoniſts during the reign of king William.

The want of eſtabliſhed influence, and the contempt with which they were treated by the court and the tories, during the preceding reigns, united the whigs by cloſer ties of ſympathy and friendſhip, and produced a defined ſyſtem of principles, and well-concerted plans of action. Excluded from all hope of preferment, they laboured, with determined perſeverance, to reduce the prerogatives of the crown, and to thwart the inclinations of the prince. That irregularity and licentiouſneſs of government, which juſtified the inflexible oppoſition of the whigs, conſtrained the tories, who engroſſed the miniſterial offices, to depart, upon ſome occaſions, from their characteriſtical principles, and to fall into inconſiſtencies, always injurious to the reputation of any party. Hence, the whigs advanced, and the tories declined, in the eſteem of the nation. In great emergencies, it muſt be admitted, that the tories followed the dictates of

of patriotiſm; but this fact, which is granted in favour of character, may, at the ſame time, be advanced to impeach the wiſdom and purity of their general political ſyſtem. The great event of the revolution brought home, to the ſenſe and experience of all ranks of men, a demonſtration of the impoſſibility of adhering to the doctrine of non-reſiſtance or unconditional obedience, and the train of abſurdities with which it is connected [1].

Though it ſhould be admitted, that the political principles, which diſtinguiſh parties, are, with many individuals, the effect of early prejudice, more than of deliberate inquiry and free choice, yet, greater energy and ſteadineſs may be expected in defence of thoſe principles, which are diſcovered after examination to be juſt in theory, and practically beneficial to the intereſts of mankind; and hence, by courage, vigour, and perſeverance, ſuitable to the dignity and importance of their cauſe, the whigs increaſed their credit and influence, together with the number of their adherents, after the period of the revolution. It is obſerved by Mr. Harley, who, in the courſe of his political life, had been intimately connected both with the whigs and the tories, that the former were moſt ſucceſsful, by making proſelytes of men of thought and induſtry,

[1] It may be truly remarked, that the maxims of the tories were ſuch as could neither be reduced to practice, nor maintained in the hour of trial. The principle of ſelf-preſervation, the primary and moſt powerful law of nature, leads us inſtinctively to reſiſt that violence which threatens the deſtruction of our being. The ſubject of the deſpotic monarch, condemned to forfeit life without evidence or trial, ſubmits to the law of neceſſity, and lays down his head upon the block, not from the influence of principle, but with ſecret reſiſtance and execration of oppreſſion.

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while the latter enliſted under their banners thoſe who were diſſipated and prodigate, and looked no farther than to the ſurface of things [2].

The aſcendency of the whigs at court, and their poſſeſſion of miniſterial offices, during the reign of king William, afforded them an opportunity of improving their private fortunes, and extending the influence of their party. The management of a tedious and expenſive war augmented the profit of every official department, and gave birth to many new offices and commiſſions, which redounded principally to the emolument of the whigs, and brought into their hands a great proportion of every ſpecies of property.

The progreſs of commerce and manufactures, favourable to ſentiments of freedom and habits of independence, was another ſource of the extending influence of the whigs. Thus, it was obſerved, that, in trading and manufacturing towns, the whigs were moſt numerous, and that, in the vicinity of cathedrals, and in villages dependent upon great men, the intereſt of the tories predominated.

The foreign proteſtants, who reſorted to England both in this and the preceding reigns, brought a great acceſſion of ſtrength to the whigs. The clerical members of the church of England diſcovered an early jealouſy of the proteſtant refugees, becauſe they were not ſufficiently ſubmiſſive to the doctrines and authority of their eſtabliſhment; and this jealouſy they were at pains to inſtil into the tories, over whoſe conſciences they had a powerful ſway. The unkind treatment which the exiled proteſtants experienced from the tories, as well as a ſimilitude of religi-

[2] Faults on both Sides. Somers's Col. vol. xv. p. 291.

ous

ous opinions and forms, to thoſe which the Engliſh diſſenters generally maintained, united their political intereſts, and augmented the ſtrength of the whigs [3]. From the experience of the advantage they derived from the influence of the proteſtant refugees, the whigs ſupported bills of naturalization, which were generally oppoſed by the tories, who ſpoke of the perſecuted Palatines, and other foreign proteſtants in England, with a contempt and ſcurrility, ſavouring too much of political rancour [4].

Their influence at court.

It has already been obſerved in the progreſs of this hiſtory, that it was the uniform plan of William, to compound his adminiſtration of individuals of different parties, and occaſionally to turn the balance in favour of one or the other, in accommodation to the current of events. The whigs, elated with their triumph, and overrating their ſervices at the revolution, were diſſatisfied with a bare precedency in adminiſtration, and began, at an early period, to contrive ſuch meaſures as might effectually prevent their antagoniſts from recovering the reins of adminiſtration, and might even reduce their political influence in more ſubordinate ſtations. Their oppoſition to an act of indemnity, and their obſtinacy in contending for amendments of the corporation act, tending to exclude the tories from any ſhare of power or intereſt in the boroughs, were the conſequences of this engroſſing temper. William, juſtly apprehenſive that a diminution of his influence would be the conſequence of any reſtriction in the choice of his miniſtry, and con-

[3] Advice to the Freeholders of England. Somers's Col. vol. xii. p. 379.

[4] Ibid. Hiſtory of the four laſt Years of the Queen, p. 221. &c.

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vinced from long experience of the benefit of employing and rewarding the ſervices of every party, found himſelf under the neceſſity of diſmiſſing the whigs, though it could only be accompliſhed by the bold meaſure of diſſolving the convention parliament.

Jan. 1690.

Their ſhare in adminiſtration.

At the beginning of the ſecond parliament, the king not only exalted the tories, by conferring upon them the principal offices in adminiſtration, but rendered their influence at large more extenſive and permanent, by changing the commiſſions of the juſtices and militia in their favour. The tories maintained their authority in adminiſtration during four ſucceſſive ſeſſions in the ſecond parliament; but the king, having diſcovered a correſpondence, which ſome of their leaders carried on with James, and finding that the ſentiments of the generality of the whigs coincided with his ſchemes of policy, again changed the miniſtry, and beſtowed the principal offices of government upon them.

1693.

From this period, the power and popularity of the whigs advanced, and diſplayed itſelf with great effect and energy, in the third parliament of William. The moſt liberal ſupplies were granted, notwithſtanding the nation had been burdened by the long continuance, and great expences, of a war. By the eminent abilities of ſome of the whig miniſters, the greateſt difficulties were ſurmounted, in order to make the ſupplies effectual, to reſtore the coin to its proper ſtandard and purity, and to accompliſh other meaſures eſſential to the future credit of the nation.

1694-5,

1697.

The peace of Ryſwick afforded the tories an unexpected opportunity of undermining the influence of the whigs, of leſſening their credit at court,

court, and defaming their reputation with the people. The news of the peace were received with univerſal joy by the nation, chiefly upon account of the aſſurance it gave them of being relieved from the heavy burdens which they had ſuſtained during the war. It would have been difficult for any miniſtry, at that period, to have contrived ſuch regulations of œconomy, and ſuch immediate reduction of taxes, as were neceſſary to gratify the expectations of the people; but, when they heard that miniſtry heſitated about diſbanding the army, the moſt obvious and deſirable means of ſaving the public expence, univerſal diſcontent prevailed. An averſion to a ſtanding army was one of the earlieſt and moſt decided criterions of the whigs. The ſyſtem of policy which they adopted in connexion with the new ſettlement, the ſtate of the continent, the earneſt deſire of the king, the very preſervation of thoſe great national objects which they had already attained, all required the eſtabliſhment of a larger military force than ſeemed conſiſtent either with their own principles, or the prejudices of the people. The whigs, then, were preſſed by this dilemma. If they contended for a ſtanding army, their integrity and conſiſtency would be impeached, and their popularity loſt; if they gave up this point, they muſt forfeit the royal favour, endanger the liberty of their country, and the independence of Europe. The conſequence was, that they ſeparated upon this queſtion when brought to a vote, and did nothing for the king as a party. The feeble efforts, made by the whig miniſters to gratify the deſire of the court, introduced internal diviſions; attracted popular cenſure, which extended to the whole party; and at length completed the triumph

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umph of their rivals. During this languiſhing influence of the whigs, of which the king was every day more ſenſible from being fruſtrated in his favourite meaſures, the tories offered their ſervices, and boaſted of their influence. He made a partial change of adminiſtration in their favour, after the firſt ſeſſion of the fourth parliament; by which, however, he found that he had loſt the ſupport of one party, without acquiring the cordial attachment and ſervices of the other.

The tories inſiſted on the total diſmiſſion of the whigs, as neceſſary for enabling them to
1699. fulfil their engagements with the king. He had gone too far to recede. Lord Somers was removed from office; Mr. Montague was brought into the houſe of lords; and, that the influence of the tories might have free ſcope in the houſe of commons, that parliament, which had been ſummoned under a whig adminiſtration, was
1700. prematurely diſſolved. The tories were not diſappointed in their expectations of the parliament, in which they found themſelves able to command a majority of votes; but their ſucceſs enſnared them.
1701. Fluſhed by the number and zeal of their adherents, the miniſtry conſidered themſelves as independent on the king, and uſed their power, rather to gratify their own reſentments, than to promote ſuch meaſures as were acceptable to the court, and calculated to gain them credit with the people. The precipitancy and vehemence of their proceedings againſt ſome of thoſe perſons who had been the principal actors in the whig adminiſtration, notwithſtanding the accompliſhment of ſome meaſures of great utility, diſguſted the king, embroiled the miniſtry with the houſe

of

of lords, and rendered them odious to the nation; ſo that, to the ſatisfaction of all who were not of the party, the king diſſolved his fifth parliament, which had exiſted only for a ſingle ſeſſion. He called a new parliament, and began to form a whig adminiſtration, which was not completed before his death [5]. CHAP. XXI. Nov. 1701. 1702.

From this ſhort review of the alternate riſe and depreſſion of whigs and tories, it appears, that the whigs enjoyed the greateſt ſhare of miniſterial power and public emolument during the reign of William, and certainly poſſeſſed more of his confidence than the other party [6]. If the balance was turned againſt them, it was only upon emergencies, and for a ſeaſon. It was reſtored again, as often, and as ſoon, as they became capable of carrying on the public buſineſs.

The comparative merit of whigs and tories may be eſtimated, either from an abſtract view of their political principles, or from the meaſures of government which they ſeverally defended or oppoſed, while they were in or out of power.

It is not my deſign to enter into an abſtract view of the principles of whigs and tories, farther than I have done in illuſtrating the preceding obſervations; becauſe it will be found, that their political meaſures and conduct have not differed from one another, ſo invariably and ſo widely, as the principles which they profeſſed would naturally have led us to expect. Whigs and tories in adminiſtration, and whigs and tories in oppoſition, exhibit ſtriking features of reſemblance to each other. If we were to draw a contraſt of political characters, without affixing Inconſiſtencies in the conduct of both.

[5] Hardwicke's Collections, vol. ii. p. 460.
[6] Burnet.

the

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the names of the originals, we ſhould find apt and copious materials, by purſuing the hiſtory of the ſame party, and the ſame individuals, through the viciſſitudes of favour and diſgrace at court. The grounds of this remark muſt be obvious to every man, who is acquainted with our hiſtory from the revolution to the preſent day; I remind the reader only of ſuch as have occurred in the courſe of this work. In the debates upon the queſtions relating to the laws of treaſon, to the trials of conſpirators, to the ſuſpenſion of the habeas corpus, and to the diſbanding of the army, the whigs held a ſtrain of argument, which they had often condemned during the two preceding reigns; and the tories obtained a tranſient popularity, by poſſeſſing themſelves of the ground which their adverſaries had deſerted, and retorting thoſe accuſations and reproaches with which their own party had been formerly branded. In ſupport of the bill for triennial parliaments, the bill for amending the treaſon laws, the place bill, the revocation of the royal grants in Ireland, and the limitations introduced in the acts of ſettlement, the tories were ſucceſsful, not only in thwarting the meaſures of their antagoniſts while in adminiſtration, but in impoſing durable reſtrictions upon the influence of the court, and introducing important amendments into the conſtitution. In proſecution of the impeachment of the miniſters concerned in the partition treaty, the tories aſſumed a zeal for continental intereſts, which they had ever oppoſed when it proceeded from the whigs. In vindication of the apparent inconſiſtency of the latter in the examples now recited, we are bound in candour to obſerve, that a very material change in the circumſtances of the nation,

and

and particularly the claim of a rival to the crown, ſupported by a powerful faction at home, rendered it neceſſary for them to deviate from thoſe political maxims and reſolutions, which they had declared, in too abſolute and indefinite terms, during the period of their oppoſition to arbitrary government [7]. Political maxims are, more than thoſe of any other ſcience whatever, liable to exceptions, according to the circumſtances of the times; and were they rigidly and inflexibly adhered to, would often fruſtrate the very purpoſes for which they were at firſt adopted. CHAP. XXI.

If there be any fundamental and comprehenſive principle, diſtinguiſhing the whigs from the tories, it is that which they avow with reſpect to the interfering claims of the prince and the people. The privileges of the people the whigs profeſs to guard with a jealous eye, and to vindicate from the encroachment of every rival intereſt. The tories are devoted with the ſupreme affections of their hearts to maintain the prerogative of the crown. In every queſtion, therefore, of interference between prerogative and privilege, that is not already fixed with preciſion by ſtatute or precedent, the whigs, in conformity to their principles, may be expected to adhere to the latter, and the tories to the former; and yet there is not any one point in which both parties have acted more vaguely, and ſo often in direct oppoſition to their favourite principles. If we collect and examine the long catalogue of queſtions, directly or indirectly referring to that ſubject, from the æra of the revolution down to the preſent times, they will rather appear to have

[7] Preface to the Subject's Right of Petitioning. State Tracts, T. W. vol. iii. p. 257.

been

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been diſputes between adminiſtration and oppoſition, than between whig and tory, and to have had for their object, nor the ſupport of principle, but the acquiſition and retention of power.

Merits and faults.

But however variable and contradictory the ſentiments of whigs and tories may have been with reſpect to queſtions purely political, yet both of them have more uniformly adhered to thoſe principles regarding religion and eccleſiaſtical polity, which were coëval with their exiſtence as parties. The whigs, whether within or without the pale of the national church, have been not only profeſſed, but generally conſiſtent, active friends to religious liberty. They claim the excluſive honour of having been the advocates for every meaſure, calculated to promote toleration and religious liberty, that has been adopted by the Britiſh legiſlature. They glory in many unſucceſsful ſtruggles to aboliſh penal ſtatutes, and to remove reſtrictions upon conſcience, introduced by the factious ſpirit and narrow jealouſy of the tories, aided by the conſcientious, though illiberal zeal of thoſe who held offices of dignity in the church [s]. The conſtant declaration and aſſiduous exertion of the whigs in behalf of religious liberty, as it formed a predominant feature in their character, ſo it was marked and criticiſed by their antagoniſts as the fitteſt inſtrument to work upon the prejudices of the people, and to propagate the apprehenſion of danger to the eccleſiaſtical conſtitution. The church of England and the whigs were often repreſented by the party writers, in this and the ſucceeding reign, as inveterate enemies, whoſe intereſts and affections it was impoſſible ever to reconcile; and that period, when the monarchy and hierarchy

[s] Sacheverell's Trial.

had

had been deſtroyed by the ſame hands, was often recalled to view, in order to ſtrengthen the union of the tories with the church [9]. CHAP. XXI.

By this political artifice, the tories not only allured the greateſt number of the officiating members of the church of England to their party, but, upon ſome occaſions, they meanly availed themſelves of the auxiliary ſtrength of enthuſiaſm, bigotry, and the tumultuary interpoſition of the people. Thoſe among the whigs, who were ſincerely attached to the eſtabliſhed religion, perceived the inſidious deſigns of their antagoniſts, and, to prevent a confuſion of titles that might prove detrimental to the cauſe of liberty by miſleading weaker minds, they framed a new eccleſiaſtical denomination, to preſerve unbroken and detached the whig intereſt reſiding within the boſom of the church. Under the deſcription of *high* and *low church*, the political warfare was transferred into conſecrated ground, and whigs and tories carried on their conflicts, within the pale of the church, with equal pretenſions of attachment to her conſtitution and intereſt.

As the conduct of the individual is more influenced by the heart than by the underſtanding, ſo, in the hiſtory of parties, we often trace predominant affections, which lead them to act in contradiction to the political maxims they profeſs, and which, more than theſe, aſcertain the diſcriminating features of their character. When I obſerve that the affections, of the tories inclined to the family of Stuart, and that the ſucceſſion of the crown in the proteſtant line was the object that was ever neareſt to the hearts of the whigs, I do not mean to aſſert, either that the leading and moſt reſpectable men among the tories wiſhed to recal

[9] Rapin on Parties, vol. ii. p. 799. 803.

king

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king James, or that all thoſe, who had the name of whigs, were free from the guilt of conſpiring to overturn the revolution ſettlement; but what I affirm, upon the evidence of fact, is, that the whigs took their meaſures more with a view to ſupport the revolution ſettlement, than to maintain conſiſtency, or to diſplay a rigid adherence to thoſe principles which they had maintained before they came into power. The early heſitation of the tories, about completing the work which they had begun in concert with the whigs, and their notorious and frequent departure from that reſpect to prerogative, for which they had often and ſtrenuouſly contended, certainly flowed from a remnant of affection to the exiled family, indicated a diſaffection to the perſon of William, and an indifference, if not a ſecret averſion, to that ſettlement of the ſucceſſion which he wiſhed to eſtabliſh. The bare recital of a few facts will, at once, elucidate and confirm theſe obſervations.

Though the tories kept equal pace with the whigs in the firſt ſtages of the revolution, they ſtopt ſhort while they were yet far from the end of this patriotic journey. The plan of the regency, of which they were ſo tenacious during the interregnum, beſpoke an anxious retroſpect to James, and, if it had ſucceeded, muſt have facilitated his reſumption of the throne, and would certainly have enſured the ſucceſſion of his ſon.

The haſte of the whigs to inveſt William with royal power, their neglect of the moſt favourable opportunity to obtain limitations of prerogative, and farther ſecurities for the liberties of the people, may be conſidered as early examples of their waving and poſtponing the operation of principle, in conceſſion to that ſettlement of the crown upon which their affections were bent. The zeal of the

whigs

whigs in entering into associations for the defence of the king's person upon the discovery of conspiracies, their framing and imposing the strictest oaths of allegiance and abjuration, the frequent suspension of the habeas corpus, their deviation from the ordinary modes of trial in cases of treason, were, perhaps, in the critical situation of affairs, necessary measures to secure the revolution settlement; but the adoption of them, in opposition to their professed sentiments and at the hazard of reproach, were evidences, that the security of that settlement was the supreme object of their care and anxiety.

On the other hand, the opposition of the tories to those very measures which exposed the whigs to the charge of inconsistency, their misrepresenting and employing them to excite a jealousy of government, the detraction with which they often spoke of the person and prerogatives of the prince, though their principal aim was to revile and displace their antagonists, afforded a striking evidence of glaring inconsistency, and that they were not always exemplary in those courtly virtues for which they valued themselves [10].

The place bill, the triennial bill, and the limitations in the act of settlement, introduced by a tory ministry, demonstrated, that their attachment to the prerogative was annexed to the hereditary line of descent; and when that was broken, their lofty ideas of majesty sunk into the same level with those of their antagonists, whom they accused of a deliberate and systematic design to circumscribe and reduce the influence of the crown. Were we to pursue this subject down from the period of this history, it would be found, that, though the sentiments of all parties were too

[10] Jura populi Anglicani. State Tracts, T. W. vol. iii.

much

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much biaſſed by intereſt and regulated by accidental circumſtances, yet there remains ſufficient proof to aſcertain this fact, that, while the whigs were ſincere in their attachment to the act of ſettlement, the tories never loſt ſight of the ſucceſſion of the houſe of Stuart, till that of Hanover was ſeated upon the throne.

After all, I do not mean to affirm, that the generality of the tories entertained any fixed purpoſe of recalling the pretender, or were diſpoſed to prefer his intereſt to that of the conſtitution [11]. They gave ſufficient proof, that the latter had the principal place in their affections, by their conduct at the revolution, and would probably have done the ſame in a ſimilar ſituation, upon a clear and decided oppoſition between the claims of the lineal heir and the ſafety of the conſtitution. But they were averſe to thoſe meaſures which rejected for ever the hereditary line of kings; and yet, with this affection, the pique, the reſentment, and the pride of party, ſometimes interfered, and the tories themſelves were more than once inſtrumental in enacting ſuch laws, as moſt effectually ſecured the excluſion of the houſe of Stuart and the continuance of the proteſtant ſucceſſion. If that veneration for prerogative, by which the tories were diſtinguiſhed, abated, and a contrariety in their political ſentiments was occaſioned by the influence

[11] There certainly was ſuch a deſign in the latter period of the reign of queen Anne, and it was formed by the tories, but, at the ſame time, a few of them only were privy to it. The ſtatutes, the voice of the people, the official language of the miniſtry, were ſo much againſt it, that the queen ſeems to have been afraid to communicate to her miniſters, and her miniſters to her, and to one another, what they all deſired in their heart. Lord Oxford, though connected with that miniſtry, probably never entertained any ſerious view of reſtoring the pretender. Macpherſon's State Papers. Cuningham's Hiſtory, vol. ii. paſſim.

of

of their attachment to the exiled family, ſo, upon the other hand, thoſe meaſures of their antagoniſts, which juſtified the tories in retorting the charge of fluctuation and inconſiſtency, may be traced to a ſimilar predilection, or propenſity of affection to the perſon of William; not perhaps on account of his private virtues, but of that well-earned fame, which he had acquired by being the protector of liberty, and of the proteſtant religion. Thus, the whigs not only became advocates for prerogative, in the inſtances above mentioned, but directed their public conduct, too much, in compliance with the prejudices and political views of the king. To this attachment was imputed a fixed determination of the whig adminiſtration to augment the army, while they diminiſhed and neglected the naval force of the kingdom. Every department belonging to the latter was managed with careleſſneſs and treachery, no leſs injurious to the honour, than to the ſafety of the nation [12]. As the genius and habits of William rendered him partial to the land ſervice, the whig miniſters departed from the moderate quota of troops agreed to at the commencement of the war; they gradually augmented the military eſtabliſhment; and, at length, were not aſhamed to contend for the propriety of maintaining a large ſtanding army, at an enormous expence.

When we trace the glaring inconſiſtencies of both parties to motives of affection, it is fair to obſerve, that theſe did not operate, with the ſame uniformity, and to the ſame extent, upon whigs and tories. The meaſures, which were derogatory to prerogative, appear to have been ſupported by the tories, with concert and in a body; whereas

[12] Faults on both ſides, Somers's Collections, vol. xv. p. 300.

the

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the inconſiſtency of the whigs, in defending what may be called prerogative meaſures, was applicable, principally, to ſuch of them as were in office, together with a few, who entertained an high eſteem of William, founded upon early acquaintance and gratitude for the ſervices he had done the nation. Though we do not admit the aſſertion of a party-writer, that, in the queſtion concerning a ſtanding army, "all the honeſt and wiſe men of "their own party deſerted them [13]," yet, in queſtions palpably deviating from the political maxims, which they themſelves had profeſſed, the whigs ſeparated, and their leaders were deſerted by many, who, in their ordinary conduct, adhered with fidelity to their party.

The faults, with which both parties reciprocally upbraided each other, have, in ſome meaſure, been anticipated by theſe remarks upon the inconſiſtency of their conduct. We ought to pay no regard to virulent aſſertions, indiſcriminately vented during ſeaſons of heat and violence; but to found our opinions upon the evidence of facts, and fairly to diſtinguiſh between thoſe circumſtances, which ariſe from the ſtation and fortune of parties, and thoſe, which indicate inherent and incorrigible depravity of principle. Rapacity, reſentment, an overbearing, engroſſing ſpirit, may, more or leſs, be imputed to every party in the day of power. Contention, miſrepreſentation of their antagoniſts, acrimony and malignity, adhere, with few exceptions, to thoſe who are out of place. If the tories were charged with ſelf-conceit, inſolence, haughtineſs of demeanour, in the courſe of their tranſacting buſineſs, theſe vices ought not to be aſcribed to any indelible ſtamp of political character, but

[13] Faults on both Sides; Somers's Collections, vol. xv. p. 302.

to

to the prejudices of domeſtic education, at a period when an high eſtimation was aſſigned to thoſe diſtinctions of fortune and family, in which the tories claimed pre-eminence. If they were precipitate and ardent in proſecuting their favourite meaſures, it might ariſe from an apprehenſion of the inſtability of their influence, which ſtimulated them to improve, to the beſt advantage, intervals of power, derived from fortuitous events, more than from any cordial favour of the prince, or their eſtabliſhed popularity. The ſame motives might tranſport them, beyond the bounds of generoſity and true policy, in the violence of their plans to gratify reſentment againſt their rivals, ſharpened by a mortifying ſenſe of the ſinking influence of their party, and of their long excluſion from power [14].

If, upon the moſt impartial ſcrutiny into the conduct of parties, it appears, that the whigs had the greateſt merit in promoting and upholding the ſettlement of government introduced by the revolution, ſo it will alſo be acknowledged, that ſome of the whigs in adminiſtration were guilty of groſs miſdemeanours, which affixed a deep and laſting ſtain upon their party.

Though generous and public motives ſhould be candidly allowed to have actuated the whigs, in the firſt ſteps of the revolution, individuals among them were afterwards ſo active in turning that event to their own private account, that it afforded but too juſt ground for ſuſpecting, that ſelf-intereſt had ever been in view as their ultimate end. They were inſolent, rapacious, inſatiable in their demands for preferment: they were continually upbraiding the king with their ſervices, and ſet the

[14] Rapin on Parties.

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higheſt price upon them. Not ſatisfied with the fair profits of the lucrative places about court, they put to ſale many offices, which required the moſt judicious ſelection of capacity and faithfulneſs. Where grants and ſale of offices failed, exorbitant penſions were ſolicited for themſelves and their retainers. To private avarice and rapacity the whig miniſters, in this reign, added unprecedented extravagance and profuſion in the management of the revenue [15]. Though no perſon, who has a competent knowledge of the buſineſs of finance and the reſources of the nation, during the reign of William, can ſuppoſe it poſſible, that the ſupplies, neceſſary to provide for the public expence, could have been raiſed within the year, yet it is certain, that the means taken for that end were often ill deviſed; that money was borrowed at an exorbitant premium, and expended with ſuch contempt of all rules of œconomy, as occaſioned an immediate depreciation of public credit, and has entailed grievous burdens upon poſterity [16]. Thus, while the emoluments of the ſervants of government were extravagantly augmented, too much of the public money was laviſhed upon individuals, and princely fortunes were accumulated by many of the whigs, whoſe merits were eſtimated by zeal for their party, more than by ſervices rendered to their country. Hence, it was a common obſervation among thoſe, who profeſſed to abſtain from all connexion with party, and to criticiſe the conduct of political men with impartiality, that the tories ſacrificed the liberties, and the whigs

[15] Secret Hiſtory of one Year, Somers's Col. vol. xii. p. 401.

[16] Sinclair's Hiſtory of the Revenue, p. 50, &c.

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the purſes, of the nation [17]. It was calculated, that king William received more money from his people, in the courſe of five years of the war, than any four of the kings of England had done, ſince the reign of Henry the fourth, and than all the kings of England had done from the conqueſt down to that period: that he had received more money in the courſe of one year, than had been given to Elizabeth, during her long reign of forty-five years: that the diſburſements, upon the article of penſions alone, exceeded one million; a ſum far beyond the example of royal munificence in any preceding reign [18].

The criminality of miſmanagement and the abuſe of power, above deſcribed, might have reſted upon individuals, if the whigs had not purſued ſuch meaſures as ſeemed to imply the conſciouſneſs of wrong, and a dread of detection; which tended to involve the whole party in the participation of guilt. They ſtruggled, long and obſtinately, to parry every inquiry, calculated for the purpoſe of bringing to light extravagance and abuſe in the expenditure of the revenue; and, when the appointment of commiſſioners to examine the public accounts was, at length, obtained, they contrived to modify and fetter their powers by clauſes, tending to fruſtrate, in a great meaſure, the purpoſe of their appointment. They proſtituted their abilities, in poſtponing and evading the means of convicting thoſe perſons, who were ſtrongly ſuſ-

[17] Secret Hiſtory of one Year.

[18] Price of Abdication. Somers's Collection, vol. xi. p. 70. In the reign of William, the ſum of 58,698,688l. 19s. 8d. was raiſed. According to this calculation, king William's annual income muſt have amounted to the ſum of 4,415,360l. Chalmers's Eſtimate, p. 71.

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pected of the most notorious embezzlement of the public money [19].

Observations.

From the facts and observations introduced in the above survey of parties, it will be obvious to the intelligent reader, that neither the principles nor conduct of whig or tory have been so essentially and invariably opposite, as to establish a fixed and unalterable line of separation: that the errors of the one were not so enormous and obstinate, as to prevent their contributing, with cordiality and success, both to the deliverance and amendment of the constitution; nor the wisdom of the other so infallible, and their purity so untainted, as to prefer, upon all occasions, the public good to private interest and party considerations. It would therefore have been equally unjust and impolitic in William, to have excluded the tories from trust and employment, or to have preferred the whigs to them, without reserve and caution.

It would be illiberal, on the one hand, to condemn any class or party, merely for an uncouth or unpopular name, or for heresies, contained in the political creed of their ancestors an hundred years ago, and which are not only renounced by their children, but repugnant to their education, their

[19] Letter to a new Member of the House of Commons. Somers's Collections, vol. xv. p. 186.

The commissioners appointed for taking, examining, &c. the public accounts, did not answer the expectations of the nation, for which these obvious reasons may be assigned:

Several great men, who had large accounts to pass, laboured to cramp the commissioners in their power, and to discountenance them in their report. There was a flaw in the commission itself; for the commissioners were not sufficiently empowered to require proof of suspected vouchers. They could not commit persons for contempt of authority, and, consequently, were exposed to the hazard of being abused by false vouchers. Ibid. See also Somers's Collections, vol. xii. p. 401. 451. 453.

temper,

temper, and the ſpirit of the times, irreſiſtibly powerful in moulding the characters of individuals. On the other hand, it would be weak and dangerous to be inveigled by the boaſted pretenſions of factious men, who, being deſtitute of genuine principles, ſeek to borrow credit from titles, conſecrated to the veneration and gratitude of poſterity by the patriotic virtues of thoſe to whom they were firſt applied. The capacity, the exertion, the probity, and the independence, of the man, to whatever political denomination he may belong, are the moſt eſſential qualifications of the miniſter, and the moſt ſolid baſis of the public approbation and confidence. CHAP. XXI.

Such, however, are the ſalutary effects of our conſtitution, that it either exacts theſe qualifications in a certain degree, or provides eſſential checks and remedies when they are wanting. It is impoſſible for human wiſdom to deviſe ſuch a frame of policy as ſhall, at all times, enſure the excluſive property of government to men of wiſdom and virtue; but there is no conſtitution, tried by a competent period of duration and experience, better calculated for detecting and expoſing abuſe of power, and controlling the errors of weak and wicked miniſters, than that which we enjoy. Under the various adminiſtrations which have taken place ſince the revolution, and which have, with few exceptions, been accuſed, by thoſe who oppoſed them, of weakneſs and corruption, the important buſineſs of the nation has ſtill been carried forward; ſomewhat has been done for the public good; nay, perſonal ability and virtue have exiſted, if not in the perſon of the miniſter or miniſters, yet ſomewhere, and in ſome degree, among thoſe who have been employed by them. Before the revolution, our government, fluctuating

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ing in its principles, was beneficial or pernicious in its effects, according to the ſentiments and diſpoſitions of the perſons who preſided at the helm. No remedies, but ſuch as were of the moſt deſperate nature, could controul the miſchiefs done by arbitrary princes and corrupt miniſters. The political ſtructure, as it is now conſtituted, is not more admirable for its intrinſic beauty and convenience, than for the ſtrong ſecurities by which it is guarded. So manifold are the checks upon licentious government; ſo eaſy the means of reſiſtance; ſo obvious the community of intereſt among all the members of the ſtate; ſo dependent the tenure of power upon the approbation of thoſe over whom it is exerciſed, that it ſeems impoſſible our liberties can ever be deſtroyed, without the wilful and treacherous co-operation of the people. And this, once more, calls back our attention to that glorious event, to which we are indebted for the confirmation and ſecurity of our pre-eminent condition. I cannot cloſe this work more properly, than by exhibiting a ſummary view of thoſe ſubſtantial benefits, of a civil and religious nature, which, more immediately or remotely, have accrued to this nation by the revolution. To the contemplation of this ſubject, the patriot will ever recur with freſh delight and rapture.

Benefits of the revolution.

1. By the revolution the Britiſh conſtitution, the ſource of ſo many ſubſtantial bleſſings, was aſcertained, and eſtabliſhed by the ſtrongeſt ſecurities.

It ſecured the liberty of England.

Eager diſputes have been agitated, and different opinions adopted, concerning the ancient genius and form of our government. While ſome have marked the infant features of a free conſtitution in that of England, at a period of high antiquity, others

others have been at pains to exhibit its early ſimilitude, in every circumſtance, to the polity of other European nations, now degraded by the yoke of deſpotiſm. The attentive ſtudent in hiſtory will find no difficulty to account for theſe diſcordant opinions. He will perceive, that our conſtitution was, for ages, in a floating ſtate, and precedents of ſuch oppoſite tendency occur, not only under the reign of different princes, but ſometimes in the courſe of the ſame reign, that no well informed author can be at a loſs for facts and examples, in ſupport of oppoſite theories [20].

Without

20 "This, then," ſays Dr. Hurd, ſpeaking of the revolution, "will be conſidered by grateful poſterity as the true æra "of Engliſh liberty. It was interwoven, indeed, with the "very principles of the conſtitution. It was incloſed in the "ancient trunk of the feudal law, and was propagated from it. "But its operation was weak and partial in that ſtate of its "infancy. It acquired freſh force and vigour with age, and "has now at length extended its influence to every part of the "political ſyſtem." Hurd's Dialogues, vol. ii. p. 326.

This conciſe and elegant deſcription of the progreſs and ſtate of the Engliſh conſtitution will be admitted as juſt and impartial, in a general view, even by thoſe perſons, who entertain different opinions concerning political points connected with the earlier period of our hiſtory. It is impoſſible, however, that the fact, whatever it may be, can affect our conſtitution as it now ſtands. Suppoſe it ſhould be admitted, for ſake of argument, that, previous to the revolution, the Engliſh government was more arbitrary than free, or that it favoured prerogative more than privilege, yet, as the right of governing is now made conditional, as indeed it always was according to the principles of reaſon and juſtice, it is evident, that no prince in future time can be entitled to claim any benefit to prerogative from the example of arbitrary proceedings previous to that period.

Suppoſe again, that the people had neither contract nor antiquity to plead, in ſupport of their right to a free government; would this right ceaſe to exiſt? Would they be juſtifiable in renouncing it? Could they be at a loſs for arguments to vindicate

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Without entering into the illuſtration of this ſubject, I ſhall only obſerve in general, that thoſe immunities, which were anciently claimed by the Engliſh

cate their right? Would they not ſtill remain in poſſeſſion of the moſt obvious, the moſt rational, and the moſt convincing arguments, in ſupport of their claim to freedom?

Can any cuſtom vie in antiquity, with thoſe rights which are coëval with the exiſtence of the human race, and claimed as the birth-right of man? Can any political ſyſtem, however venerable from antiquity, aboliſh thoſe privileges, which are founded on the eternal laws of truth, order, and juſtice?

They, who reſt the claim of liberty upon antiquity and cuſtom, not only prefer an ambiguous to a clear title, but do a manifeſt injury to the cauſe of humanity, by diſparaging thoſe claims, which belong to that unhappy part of mankind, who groan under the yoke of deſpotiſm. Suppoſe any nation or kingdom ſhould admit, that their fathers, from the earlieſt formation of government among them, of which any traces can be diſcovered, have been ſubjected to the arbitrary will of one man, or any ſet of men; Would this fact degrade them in the ſcale of creation? Would it aboliſh the rights veſted in them as men? Has not every diſtrict in the globe, and every ſpecies of mankind, the ſame right to free government and equal laws, which Great Britain had before the revolution? A right, not founded upon cuſtom, which is fluctuating; not founded upon municipal law, which is often partial and capricious; not founded upon the ſtipulations of their fathers, whoſe views were contracted under the awe of tyranny; but a right inherent, original, indefeaſible, in the moſt unequivocal and emphatical ſenſe of the words.

There is another view of this queſtion concerning the antiquity of our conſtitution, in which every fair reaſoner will acquieſce. Suppoſe that the rights which we now enjoy, as ſubjects of the Britiſh empire, had been alſo poſſeſſed by our fathers at a remote period, and had been claimed by the people of England at the revolution, upon the footing of cuſtom and law, as well as equity, yet if theſe rights were not fortified by ſufficient ſecurities, if the people had not authority and means to defend them when invaded, how precarious muſt their ſituation have been? Theſe ſecurities, and this authority, they acquired at the revolution, by the regular meetings, and afterwards by the periodical diſſolution of parliament, and by the conſtant dependence of the crown upon it for ſupplies.

The

Engliſh barons and confirmed by various charters of their kings, were often interrupted and retracted; that a long period elapſed before they were diffuſed and imparted to the people at large; and that, after having attained extenſion, they were ſtill infringed, and ſometimes apparently extinguiſhed, by the arbitrary government of our princes. To paſs over many examples to this purpoſe, which occur under the domination of the houſe of Tudor, I ſhall confine myſelf entirely to thoſe facts which have fallen within the compaſs of this hiſtory.

Conſidering the unguarded fervour of loyalty which pervaded the nation at the acceſſion of Charles the Second, and the obſequious temper of his ſecond parliament, nothing ſeems to have been wanting, but induſtry, ambition, and evil counſellors, to have carried prerogative to a height ſuperior to all reſiſtance. At the end of the ſame reign, the long diſcontinuance of parliament, and the ſuſpenſion of oppoſition, intimidated by the misfortunes and perſecution of its leaders, exhibit a languiſhing ſtate of public liberty.

Under the reign of his ſucceſſor James, the ſtate of liberty grew ſtill more hopeleſs and diſ-

The friends of the conſtitution would do well to conſider, whether, by too great a veneration for antiquity, there is not ſome hazard of doing a real injury to the conſtitution itſelf, by preferring, upon the occurrence of new queſtions, precedents which obtained under arbitrary reigns, to the analogy of more recent meaſures, and the dictates of a more liberal ſpirit of policy, which began with the revolution, and has been improving ever ſince that period. "There is not," ſays Mr. Hume, "a more effectual method of betraying a cauſe, than "to lay the ſtreſs of the argument in a wrong place; and, "by diſputing an untenable poſt, enſure the adverſary of ſuc"ceſs and victory." Eſſay on the Coalition of Parties.

couraging.

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couraging. If James, after having received the revenue for life, had diſguiſed, and poſtponed the execution of his arbitrary claims, or had been content with wreſting from the nation their civil privileges, without touching their religion, would not the liberties of the people have been brought to the moſt extreme point of danger? Is it not more than probable, that the government of England might, at this day, have been as deſpotic as that of any kingdom in Europe? A ſenſe of the danger of the proteſtant religion did that, which, it is probable, a ſenſe of right, and a love of liberty, would not have done. It united the addreſſes and ſolicitations of all parties, to obtain the interpoſition of the prince of Orange. By that interpoſition, the liberties of England were reſcued from impending danger. But our fathers, inſtructed by paſt experience, did not think it enough to repel immediate danger; they extended their plan to their own future ſafety, and to the intereſt and ſecurity of their poſterity. The conſtitution had been varying and unſettled: many things were in diſpute between the prince and the people. It was of the utmoſt importance to aſcertain the nature of the conſtitution, to define, in the cleareſt and moſt explicit terms, the rights of the people; and to fortify and ſecure them againſt future attacks. A more propitious opportunity for accompliſhing this great deſign never could occur, than at a time when the crown was to be transferred as a free gift, and when the perſon, who was to receive it, was a profeſſed friend to liberty and the proteſtant religion. At this æra our conſtitution attained preciſion and ſtability. The land-marks were ſet up; the line, which divides prerogative from privilege, was drawn ſo broad and ſo deep, as to prevent

prevent confuſion or miſtake, and to debar encroachment upon either ſide. The moſt comprehenſive privileges of the people were recogniſed and eſtabliſhed. The moſt odious and arbitrary exertions of prerogative were ſpecified and condemned.

Infuſed a ſpirit of improvement into the conſtitution.

2. The revolution, whether contemplated in connexion with the principles upon which it was founded, or as a monument of the triumph of patriotic labour, has infuſed into our conſtitution a certain meliorating energy, which has improved, and, it is hoped, will yet father improve our political condition. In this enlarged and extenſive view, we are indebted to that glorious event, not only for what was then done, but for what has been done, ſubſequent to that period. The example of reſiſtance in the very moment of extreme emergency, and by the very perſons who diſclaimed its lawfulneſs in any caſe, has, more forcibly than ten thouſand arguments, expoſed the abſurdity of doctrines ſubverſive of the rights of humanity, and exploded that ſervile ſubmiſſion to prerogative, ſo flattering and grateful to the ambition of princes. That freedom with which the people are invited, by the genius of our conſtitution, to inquire, to judge, to converſe, and to write, concerning meaſures of government and political ſubjects, diſſeminates liberal ſentiments among all ranks of men, gives an immediate check to the abuſe of power, and ſtifles, at its birth, every riſing grievance.

The influence of liberal ſentiments is particularly diſplayed, in ſoftening the harder features of our conſtitution, and in reſtraining and mitigating the execution of rigorous and ſanguinary laws, which remain unrepealed. In ſuch inſtances, the mild ſpirit of the conſtitution has often

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often militated againſt the letter of law; and while many penal ſtatutes have fallen into diſuſe, it is a received maxim, to interpret thoſe which ſubſiſt in the moſt lenient ſenſe. Diſcretionary puniſhments are often ſubſtituted, in caſes where the law has ordained the infliction of a capital puniſhment. In no inſtance, of late years, has the ſentence for treaſon been executed, with all the barbarous circumſtances preſcribed by the ſtatute.

The meliorating quality of our conſtitution might be farther illuſtrated from the enacting of many new laws, calculated to extend the liberty of the ſubject, and to maintain the purity of the conſtitution. Since the period of the revolution, the laws of treaſon have been freed from that partial diſtinction, which often proved fatal to the perſon accuſed; and the ſame indulgence has been granted him as in the trial of other capital crimes. By limiting the duration of parliament, the dependence of repreſentatives upon their conſtituents, and, conſequently, a reſpect to their ſentiments and intereſts are more effectually ſecured. The dignity and independence of parliament has been promoted by various ſtatutes, regulating the qualifications of its members. The influence of the court and miniſtry have been checked, and the purity of parliament farther ſecured, by a late ſtatute, eſtabliſhing the faireſt mode of trial in the caſe of conteſted elections. The act for aboliſhing hereditary juriſdictions in Scotland; the act for rendering the judges of England independent, by granting their commiſſions during life; the act for aboliſhing the privilege of exemption from arreſt for debt, enjoyed by ſervants of members of parliament; and various regulations with reſpect

to

to commerce and our intercourſe with foreign nations; are all pleaſing examples of the progreſs of liberty, and the improving excellence of our laws, promoted by the genius and ſpirit infuſed into our government by the revolution. The contemplation of theſe, as pledges of future improvements [18], while it expands the hope and elevates the joy, will ſtill farther inflame the gratitude, and animate the efforts, of the patriot. CHAP. XXI.

3. To

[18] To ſuggeſt theſe might perhaps, be cenſured as a digreſſion from the ſubject of this work, and an arrogant intruſion into the province of thoſe, who, by their experience as well as truſt, are beſt qualified to diſcern them. Some of them, however, are ſo obvious, and required by ſuch preſſing calls of juſtice and humanity, that we are diſpoſed to wonder, that, under ſuch a mild and beneficent government, they ſhould have been ſo long delayed; and that, under ſuch prevalence of liberal ſentiment, their propriety and importance ſhould ſtill be diſputed.

The laws relating to debtors exhibit a glaring example of deviation from the principles of our conſtitution. Is it not ſhocking, that, in a country where ſuch a price is put upon perſonal liberty, and where the total deprivation of it is reckoned too ſevere a puniſhment for any crime, perſons, who have not been guilty of any immorality, who have, perhaps, been only unfortunate, ſhould be doomed to perpetual captivity?

Is not the letter and complexion of our criminal laws too ſanguinary? Are not capital puniſhments multiplied ſo much as to offend againſt ſound policy, as well as the dictates of humanity? For what is the conſequence? The ſeverity of puniſhment, out of all proportion to the demerit of crimes, cannot be executed with conſtancy and exactneſs, and therefore loſes its influence of over-awing and reſtraining the guilty. Might it not be expected, that a more moderate ſpecies of puniſhment, invariably executed, would, at once, ſpare the effuſion of blood, and reduce the number of crimes?

The multiplicity and ſtrictneſs of entails in one part of the kingdom, is not only materially injurious to induſtry and commerce, but muſt, in progreſs of time, be productive of inequa-

lity

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3. To the revolution we are indebted for the preſervation and eſtabliſhment of the proteſtant religion.

lity and unalterable ſuperiority, which will overwhelm the independence and liberties of the ſubordinate and more numerous claſſes of men.

How much were it to be wiſhed, that the influence of that humane ſpirit, which is ſo honourable to our age, and ſo fruitful of good works at home, were extended to our intercourſe and commerce with diſtant countries!

Does not the genius of our conſtitution concur with the dictates of humanity, to recommend to our legiſlature the abolition of the infamous traffic in ſlaves? If there are any who remain ſtubborn againſt the dictates of humanity, let them be perſuaded to inveſtigate this queſtion upon the footing of public expediency and intereſt. Has not the value of individuals, in every ſenſe, been improved, in proportion as they have become free and independent? Has not that labour ever been found the moſt productive which redounds to the profit of the labourer, and which has been performed with conſent and cheerfulneſs? Has not the emancipation of villains and bondmen contributed, more than any other means of improvement, to the melioration of property, and the enriching of proprietors in England? Is it not a fact, that the princes and ſtates, who got the ſtart of others by the abolition of villainage at home, have arrived firſt at civilization, and have ſtill retained pre-eminence in manufactures, agriculture, commerce, and every article of national proſperity? Why ſhould the line be drawn, why ſhould regulations the reverſe of thoſe which have promoted domeſtic proſperity, why ſhould the violation of juſtice and humanity, be deemed eſſential to the cultivation and improvement of our diſtant colonies?

With the chriſtian, the ſpirit of his religion ſuperſedes the uſe of argument, and renders him impatient of contradiction in a point, which forms the moſt prominent feature and eſſential diſtinction of his profeſſion. Benevolence, the moſt pure and comprehenſive, is incuicated by the precepts and example of his maſter. Can he then ſubmit to any ſyſtem of policy, which has the effrontery to exclude a whole race of mankind from the reach and effect of his charity? The cauſe of juſtice and humanity will prevail; but ſtill it muſt be a mortification to the patriot, if objections, founded in ignorance and ſelfiſhneſs, ſhould ſuſpend the gratification of his moſt ardent deſire, and withhold, from his beloved country, the glory of taking the lead in reprobating that ſyſtem of policy, which dooms any claſs of his fellow-creatures to wretchedneſs and oppreſſion.

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We have ſeen the danger to which the proteſtant religion was expoſed, during the reign of Charles the ſecond, from his ſecret attachment to Roman catholics; his indulgences intended principally for their relief; his treaty with France, ſtipulating the eſtabliſhment of popery; and above all, from the converſion and bigotry of the duke of York. By theſe circumſtances, the fears of the people were excited, vigorous meaſures of oppoſition concerted; and the deſigns of the court defeated.

In the reign of James, the danger was more formidable, becauſe the popular alarm had entirely ſubſided. None objected to the prince's enjoying his own religion, while they confided in his ſolemn and repeated promiſes, that he would protect that of the nation. Fortunate it was, that the bigotry of James was too ungovernable to admit of any compromiſe, or to regard the obligations of truth; for had he been contented with the private and lawful engines of proſelytiſm, how ſucceſsful might he not have been, or what changes might he not, with patience and time, have effected? But the infatuated monarch could not conceal his intention of devoting every faculty of royal power to the ſervice of Rome. He ſtrained every nerve of prerogative, he violated his promiſes, he deſpiſed the reſtraints of law; and then it was that the proteſtant religion, as well as the liberty of England, was brought to the extremity of danger. But, if the queſtion had been merely political, the ſame unanimous and ſpirited force of reſiſtance could not have been collected. Nothing leſs than a zeal for the proteſtant religion was ſufficient, to ſuſpend the animoſities of parties, and to unite them in ſchemes and efforts for preventing its ſubverſion.

The

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The diſtinguiſhed abilities of the prince of Orange, his zeal for liberty and the proteſtant religion, his influence among the princes of Europe, his near alliance to the royal family, marked him, as deſtined by Providence to be the glorious inſtrument of their deliverance. Violent diſſenſions prevailed in the religious and political ſentiments of individuals and parties, then incorporated by participation of danger. To have entered into any diſcuſſion of theſe, or to have concerted any future plan of ſettlement, might have proved fatal to their union. Farther queſtions were therefore ſuſpended, while, in this one point, all agreed, that the interpoſition of the prince of Orange was neceſſary to the preſervation of the proteſtant religion; that religion, which diſclaims the uſurpation of human authority; that religion, which holds the ſcriptures alone to be the rule of truth; that religion, which, if purſued in its true principles, will finally triumph over all the corruptions of human invention, and reſtore the purity of the goſpel. The continuance of that religion, we owe, under the bleſſing of God, to the revolution.

Eſtabliſhed toleration.

4. To that event we are indebted for toleration and liberty of conſcience.

Without toleration and liberty of conſcience, the benefits of the proteſtant religion muſt be extremely circumſcribed and precarious. Though our firſt reformers made illuſtrious exertions in the diſcovery of truth, they ſtill retained much of that metaphyſical dogmatiſm, and ſcholaſtic jargon, which had encumbered chriſtianity during the long night of barbariſm and ſpiritual tyranny. They harboured too much of the contracted, intolerant and perſecuting ſpirit, which pourtray the moſt hideous features of corruption in that

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that church which they profeſſed to abandon; and though it was by the uſurped dominion over the conſcience and private judgment of men that chriſtianity was firſt defaced, and profeſſedly in order to demoliſh this dominion that the ſtandard of reformation was firſt erected, yet, what is an aſtoniſhing inſtance of the inconſiſtency of human character, almoſt all the proteſtant ſects, which obtained the ſanction of legal eſtabliſhment, relapſed into the ſame error, and urged the execution of penal ſtatutes againſt their proteſtant brethren, who refuſed to conform to their ſyſtem of faith, or regulations of eccleſiaſtical government. Lutherans, calviniſts, epiſcopalians, preſbyterians, have, all of them, in the day of power, wielded, with unrelenting fury, the ſword of perſecution. But, to take the example of our nation after the reſtoration, the ſecond parliament of Charles diſcovered an extraordinary zeal for promoting uniformity in religion. No leſs than five different ſtatutes, as we have ſeen, were enacted for this purpoſe, every one of them, in progreſſion, ordaining penalties more ſevere to be inflicted upon thoſe, who worſhipped God in any other way than according to the forms of the church of England. The ſame ſpirit was adopted by the miniſters of Charles the ſecond in Scotland. The execution of penal ſtatutes on account of religion, in that kingdom, occaſioned ſome of the moſt ſhocking ſcenes of barbarity that are to be met with in the hiſtory of any age. Humanity recoils at the remembrance of them.

At the period of the revolution, perſecution received a mortal wound, but did not immediately expire. The merit of the proteſtant diſſenters, operating with the church of England by reſiſting their common enemy, ſuggeſted to the

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latter the juſtice, and the policy, of maintaining future intercourſe upon terms of forbearance and charity. A plan of comprehenſion was propoſed, but thwarted by the bigotry of the tories, the indiſcreet violence of the leaders of the church, and, in part, by the peeviſh ſcrupulouſneſs of ſome of the diſſenters. The penal ſtatutes were, not without ſome exception, aboliſhed, and an act of toleration paſſed. It is probable, however, that neither this plan of comprehenſion would have been propoſed, nor the act of toleration obtained, at that period, if both had not been agreeable to the ſtrong deſire, and favourite policy, of the king. There is indeed no feature in the character of that great prince more marked and brilliant, that his zeal for liberty of conſcience. Though illuſtrious for military and political talents, he was not unrivalled, perhaps he was excelled, by contemporary generals and ſtateſmen; but, as a friend to religious liberty, he had not a rival. In this point, his merits appear ſingular and tranſcendent. The extenſion of religious liberty at the revolution, though it exhibits an agreeable contraſt to the penal ſtatutes, and perſecutions in the preceding reigns, yet it was not proportionate to the liberal ſentiments of William. The proteſtant diſſenters were excluded from many privileges, and their clergy, by the letter of the law, ſubjected to ſevere teſts and reſtrictions. It is alſo to be lamented, that the recent remembrance of the danger of popery was the occaſion, not only of impoſing prudent reſtraints, but of enacting unjuſtifiable penalties againſt the profeſſors of that religion, and particularly againſt Roman catholic prieſts. The mention of this ſubject draws our attention once more to a ſtriking example of the effects

effects of that meliorating tendency of our conſtitution to which I have already referred. The ſtatute, ordaining the ſuppreſſion of diſſenting meetings whoſe miniſters did not ſubſcribe to the doctrinal articles of the church of England, and the ſtatute, of one thouſand ſeven hundred, ordaining the perpetual impriſonment of catholic prieſts and the diſinheriting of Roman catholic heirs, were ſo repugnant to the ſpirit of the Britiſh conſtitution, that they have ſeldom been executed with rigour. They at laſt fell into diſuſe, and finally, by the unanimous conſent of both houſes of parliament, have been expunged from the Engliſh code; and, though the diſgraceful oppoſition, that was given to the repeal of the ſtatute regarding Roman catholics, obſtructed that repeal in one part of the kingdom, and excited great commotions in another, yet there is not any doubt but, from the influence of our conſtitution, the ſpirit of toleration is every day expanding and increaſing. There is not any ſyſtem of religious truth, the moſt harſh and illiberal, that is not mollified and humaniſed by the ſpirit of the age. We need only to advance in the ſame ſpirit for a little time, and it is to be hoped, that no trace or veſtige of intolerance will remain to diſfigure the beautiful fabric of the Britiſh conſtitution.

Our obligations to king William.

Impreſſed by the views now illuſtrated, it is natural to cheriſh a grateful remembrance of our patriotic anceſtors, and particularly of that illuſtrious perſonage, who, under God, was the inſtrument of working ſo great a deliverance, and of obtaining ſuch important privileges for us and for our poſterity. There is not a more painful ſenſation, than that which ariſes from the diſcovery of any imperfection or blot, in the cha-

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racter of a benefactor, tending to diminish the esteem, and restrain the gratitude, which we find ourselves disposed to pay to him. As there is not any character recorded in our history, more strongly entitled to our gratitude, when we reflect upon the inestimable blessings for which we stand indebted to his interposition, so few appear, after the most critical investigation, more deserving of esteem and praise, on account of the endowments and virtues with which it is adorned.

His character.

The dawn of his life was lowering and clouded, and little promised that lustre which brightened the meridian day. He was born in the seventh month, a few days after the death of his father, whose authority had been declining under the opposition of the Louvestein faction. The son, while in his cradle, was stripped of all his hereditary dignities and offices by a general assembly of the States. His constitution was weak, his fortune narrow and embarrassed, his education cramped and neglected. The native vigour of his genius, called forth by the distresses of his country, confuted these inauspicious presages of fortune, and rendered his future life an uninterrupted career of patriotism and glory.

The ambition of Lewis the fourteenth, intruding into the frontiers of Holland, first opened to the young prince a theatre for the display of those astonishing endowments, which proved him to be worthy of the honours, as well as the name, of his renowned ancestors. He was appointed admiral, captain general, and at last restored to the office of stadtholder.

The magnanimity, the exertion, and the perseverance, by which the prince of Orange defeated the intrigues and the armies of Lewis,

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not only protected the liberties and engaged the confidence of his country, but recommended him to the ſurrounding powers of Europe, trembling for their independency, as the fitteſt perſon to form and conduct a ſcheme of confederate reſiſtance to the uſurpations of France. While the grandeur of the deſign flattered his ambition, its connexion with the liberties of the States intereſted his patriotic zeal.

In the ſequel of his hiſtory, it is difficult to ſay which we ought moſt to admire, the variety and excellence of his talents, or the ſucceſs with which they were crowned. By a comprehenſive diſcernment of the political intereſts of Europe; by penetration into the characters of individuals; by addreſs in negociation, he cemented ſtates and princes, whoſe intereſts and prejudices ſeemed moſt oppoſite and irreconcilable. By the firmneſs of his reſolution; by fortitude under the moſt diſaſtrous events; by fertility of expedients, he at laſt ſurmounted every difficulty; chaſtiſed the ambition of Lewis; exhauſted the ſtrength of France; and wrought the deliverance of Holland, England, Spain, and the Empire.

As the moſt illuſtrious fame is annexed to exploits in the cauſe of liberty, ſo, without a nearer inſight into character, we are at a loſs to decide, in particular inſtances, whether they reſult from the ſordid motives of ſelf-intereſt and ambition, or the more exalted ones of virtue and public ſpirit. That the love of liberty was predominant in the character of William; that his ambition was under the direction of principle, and ſubſervient to the cauſe of juſtice and the rights of mankind; is atteſted by the uniform tenour of his actions. Private emolument was with him no conſideration, when the intereſt of his country

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was at ſtake. The alluring bait of royalty he repelled with diſdain, when propoſed to him, upon terms ruinous to the freedom of his country. His acceſſion to the throne of England will appear no argument againſt this concluſion with thoſe, who conſider, not only, how important it was to her deliverance, but that it was an eſſential link in the chain of meaſures, which was to connect and eſtabliſh the liberties of Europe. If William had not aſcended the throne of England, the grand alliance could never have been completed, and rendered efficient to overpower the armies of France, aided by James, maſter of the liberties of his ſubjects.

That liberality of deſign, which dignified his negociations and extended his influence upon the continent, was no leſs conſpicuous in the ſcheme of his domeſtic policy and government. By an impartial diſpenſation of favours to all parties in Holland and England, he moderated their violence, and employed their united ſtrength, in the defence of public liberty. No flattery, nor zeal for his perſonal aggrandiſement, ever ſeduced him to give ſcope to the reſentment or uſurpation of any party. It was the deſire of his heart to accompliſh the moſt extenſive plan of religious toleration; and, though he found himſelf thwarted by the prejudices of the people, yet he never relinquiſhed his liberal purpoſes from the dread of obloquy or miſrepreſentation. His opinion, in queſtions of the greateſt political moment, he maintained with a firmneſs, rather honourable to his character, than favourable to his intereſts.

That his reſpect for religion was not feigned and political, but ſincere and conſtant, appeared, not only from his regular and decent attendance

upon the duties of ſocial worſhip, but from the time and attention he allotted to private devotion. It was remarked, that he never mentioned the truths of religion, but with ſerioufneſs and veneration; and that he expreſſed, upon all occaſions, indignation againſt examples of profaneneſs and licentiouſneſs. He maintained great equanimity under all viciſſitudes of fortune; being neither immoderately elated with proſperity, nor dejected with adverſity. Often fretted by the rudeneſs of faction, and the jealouſy and diſcontents of his ſubjects, he ſtill regulated his temper by the dictates of prudence, and reſigned his private inclinations and intereſts for the ſake of public peace. Though liable to ſudden ſallies of anger, yet he never harboured reſentment in his breaſt; and he even treated ſome of thoſe perſons, from whom he had received the higheſt perſonal injuries, with mildneſs and generoſity. To ſum up his talents and his virtues: he poſſeſſed great natural ſagacity, a retentive memory, a quick and accurate diſcernment of the characters of men. He was active, brave, perſevering; and, to theſe qualities more than to his ſkill as a general, he was indebted for his military ſucceſs. His knowledge in politics was extenſive and profound; his application to buſineſs ardent and indefatigable. An enthuſiaſtic lover of liberty, he was ever true to his principles; faithful in the diſcharge of every truſt committed to him; and, in the characters of the ſtateſman and general, acquired the confidence and praiſe of his friends, and excited the admiration and dread of his enemies.

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His talents and virtues belonged to the reſpectable, rather than to the amiable claſs; and were

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were formed to command eſteem, more than to engage affection,

For literature and the fine arts he diſcovered no taſte. He had acquired none of thoſe graces, which animate converſation, and embelliſh character. A ſilence and reſerve, bordering upon ſullenneſs, adhered to him, in the more retired ſcenes of life, and ſeemed to indicate not only a diſtaſte for ſociety, but a diſtruſt of mankind. He was greatly deficient in the common forms of attention. His favours loſt much of their value, by the coldneſs of the manner with which he conferred them. He did not enough accommodate himſelf to the open temper of a people, who had ſo freely devoted their allegiance to him. His warm and ſteady attachment to a few friends demonſtrated that he was not deſtitute of private friendſhip. He was occaſionally ſurpriſed into indulgences of mirth and humour; which ſhewed, that he was not inſenſible to the relaxation of ſocial amuſement. But the infirmities of his conſtitution; the depreſſion of his early ſituation; a fatal experience of deceitfulneſs and treachery, derived from his political intercourſe with mankind, the ſerioufneſs and weight of thoſe objects, which continually preſſed down his mind, controlled a propenſity, however ſtrong, to confidence, affability, and pleaſantry, and introduced habits of conſtraint and gravity, which draw a veil over the attractions of virtue; and frequently contribute, more than vicious affections, to render character unpopular.

It would, perhaps, be difficult to ſelect, from the various and wide range of biography, any two characters, which form a more perfect contraſt, than that which opens, and that which cloſes, the period of this hiſtory.

In

In the character of Charles the Second, we are ſtruck with a brilliancy of wit, and gracefulneſs of manners, deſtitute of any one ingredient of principle or virtue; with politeneſs, affability, gaiety, good humour, every thing that captivates imagination, or gives delight for the moment.

In the character of William, we turn our eyes to ſterling merit, naked and unadorned; to ſtern integrity, incorruptible patriotiſm, undaunted magnanimity, unſhaken fidelity; but no ſplendid dreſs or gaudy trapping, to arreſt the attention of the ſuperficial obſerver. A deliberate effort of the underſtanding is neceſſary to perceive and eſtimate its deſerts.

Charles, with all his vices, was beloved while lived, and lamented when he died.

William, with all his virtues, reſpected abroad, reſpected by poſterity, never obtained, from his ſubjects and contemporaries at home, the tribute of affection and praiſe, adequate to the merit of his virtues, and the importance of his ſervices.

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THE END.

ERRATA.

Page 258, Lines 17 and 18 read, *By the variety and wildneſs of thoſe projects of government*; and in Side Note, for *Eelction*, read *Election*.